

DATE SUBMITTED 11/28/2023  
 SUBMITTED BY Kristen Smith  
 DATE ACTION REQUIRED 12/06/2023


COUNCIL ACTION (X)  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION ( )  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS ( )

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT:	DISCUSSION/ACTION: 1. Authorization to reject claim CW File Number CJP-3050008 as recommended by Carl Warren & Company.		
DEPARTMENT INVOLVED: Human Resources			
BACKGROUND/SUMMARY: Recommendation from Carl Warren & Company to reject claim CW File Number CJP-3050008 submitted by Monica Dexter on October 23, 2023.			
FISCAL IMPACT: NOT TO EXCEED There is no fiscal impact associated with this action.		FINANCE INITIALS	<u>DP</u>
STAFF RECOMMENDATION: Staff recommends approval to reject claim.		DEPT. INITIALS	<u>KWS</u>
MANAGER'S RECOMMENDATION: Approve staff recommendation.		CITY MANAGER'S INITIALS	<u>OHM</u>
MOTION:			
SECONDED:	APPROVED ( )	REJECTED ( )	
AYES:	DISAPPROVED ( )	DEFERRED ( )	
NAYES:			
ABSENT:	REFERRED TO:		



**CARL WARREN & COMPANY**  
Claims Management and Solutions

A  **VENBROOK** Company

TO: City of Imperial

11/2/2023

ATTENTION: Kristen Smith

RE: Claim : Inter Ins. Exch/Monica Dexter V. City of Imperial  
Claimant : Inter Ins. Exch/Monica Dexter  
Member : City of Imperial  
Date Rec'd by Mbr : 10-23-2023  
Date of Event : 08-21-2023  
CW File Number : CJP-3050008

Please allow this correspondence to acknowledge receipt of the captioned claim. Please take the following action:

- **CLAIM REJECTION:** Send a standard rejection letter to the claimant.

Please include proof of mailing with your rejection notice to the claimant. Please provide us with a copy of the Notice of Rejection and a copy of the Proof of Mailing. If you have any questions, feel free to contact the assigned adjuster or the undersigned claims specialist.

Very Truly Yours,

*Janice Baluyut*

Janice Baluyut  
Claims Examiner

**Carl Warren & Company, LLC** | A Venbrook Company

Direct: 657.622.4326

Email: [JBaluyut@CarlWarren.com](mailto:JBaluyut@CarlWarren.com)

## CLAIM FOR DAMAGE OR INJURY AGAINST THE CITY OF IMPERIAL, CALIFORNIA

Claims for death, injury to person, or to personal property must be filed not later than six months after the occurrence. (Gov. Code, Sec. 911.2)

Claims for damages to real property must be filed not later than 1 year after the occurrence. (Gov. Code, Sec. 911.2)

TO: City of Imperial  
420 So. Imperial Ave.  
Imperial, CA 92251

Name of Claimant	Address	Zip	Phone	Age
Monica Dexter	Unk	UNK	UNK	UNK

7123 Pearl Rd. STE 400 Cleveland, OH 44130

Address to which Claimant wishes notices sent

WHEN did damage or injury occur? 09/21/2023

WHERE did damage or injury occur? Palm Ave near 13th

HOW and under what circumstances did damage or injury occur? IV traveling on Palm Ave and struck a pothole

IV had completed a left turn from 13th st onto Palm. Ired traveling in the middle lane traveling 15-20mph

when felt the impact from the pothole causing the left front and rear tires to pop. loss was in front of the

trailer park. Ired was able to pull over into the trailer park.

WHAT particular action by the City, or its employees, caused the alleged damage or injury? (Include Names of Employees, if known)

due to heavy rains - Hurricane Hilary over the weekend it caused road damages which city did not take care of or maintain

WHAT sum do you claim? Include the estimated amount of any prospective loss, insofar as it may be known at the time of the presentation of this claim, together with the basis of computation of the amount claimed: (Attach estimates or bills, if possible)

Property damage

\$ 4234.80

Rental

\$ 1650.00

Total Amount Claimed

\$ 5,284.80

\$ \_\_\_\_\_

NAMES and addresses of witnesses, Doctors and Hospitals:

N/A

 Rep For Ditchey Geiger LLC, Atty's For AAA A/S/O Monica Dexter 10/16/23

Signature of Claimant

Date

**DITCHEY GEIGER, LLC**

Attorneys at Law  
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7123 Pearl Road - Suite 400  
Cleveland, Ohio 44130

Telephone 216.348.9700 - Facsimile 888.232.1934  
www.DitcheyGeiger.com

October 16, 2023

City of Imperial Beach  
420 So. Imperial Ave.  
Imperial, CA 92251

Attention: Handling Rep

**RE: Interinsurance Exchange of the Automobile Club (AAA)**  
**Client File No.: 016013312**  
**DG File No.: 23-473418**  
**Type of Claim: AutoIns**  
**Date of Claim: 08-21-2023**  
**Your Insured: Damaged Party: Monica Dexter**  
**Your Claim/Reference No.: NEW CLAIM SUBMISSION**  
**Claim Amount: \$5,284.80**

**CLAIM NOTICE**

The above captioned claim has been assigned to this law firm for further handling. Accordingly, please process for immediate payment. Thank you.

Make your draft payable to:  
**DITCHEY GEIGER, LLC - Attorneys for Interinsurance Exchange of the Automobile Club (AAA)**

Send all payments to:  
**DITCHEY GEIGER, LLC**  
7123 Pearl Road - Suite 400  
Cleveland, Ohio 44130

Tax Identification No.: 20-4609903

If you have any questions or wish to discuss this matter, please contact the undersigned. Otherwise, payment in full is expected. Your prompt attention to this matter will be appreciated.

Respectfully,

**Anthony Fuentes**  
Account Representative: Insurance Claims Group  
216.348.9700 x166  
Anthony.Fuentes@DitcheyGeiger.com