

53B-1

REPORT

To the Honorable Mayor and City Council
From the City Manager

December 6, 2004

Subject

Leave to Present a Late Claim

Recommendation

Staff recommends denial of the application to file a late claim from Mohsen Jahani who alleges damage to a rental truck from an overhanging City tree.

Background

Persons who believe they have been injured by actions of a public entity or its employees are generally required to file a claim for damages with the public entity within six months from the time the injury occurred. Where claimants have failed to file a timely claim with the public entity, they may apply to the public entity for permission to file a late claim. This application was received ten months past the date of the alleged incident.

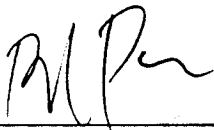
Claimant

Allegation

Mohsen Jahani

Alleging damage to rental truck from overhanging City tree.

After consideration and investigation of the claim, it is staff's recommendation that the application to present a late claim be denied.



Brian J. Ponty
Director of Finance and Financial Planning



Edward P. Everett
City Manager