

**M E M O R A N D U M**  
**CITY OF CHINO**  
**HUMAN RESOURCES DEPARTMENT**

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**COUNCIL MEETING DATE: JUNE 4, 2019**

**TO: MATTHEW C. BALLANTYNE, CITY MANAGER**

**FROM: ANTHONY ARROYO, DIRECTOR OF HUMAN RESOURCES/RISK  
MANAGEMENT**

**SUBJECT: DENY CLAIM FILED AGAINST THE CITY - LORRAINE SANDOVAL.**

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**RECOMMENDATION**

Reject liability claim filed on May 9, 2019 by Kevin O'Connell on behalf of his client Lorraine Sandoval.

**FISCAL IMPACT**

No fiscal impact associated with the recommended action.

Revenue:

Expenditure:

Transfer In:

Transfer Out:

### **BACKGROUND**

On May 9, 2019, The City of Chino received a claim for damages from the Law Offices of Kevin O'Connell on behalf of their client, Lorraine Sandoval, alleging severe injury to her knees and a possible torn meniscus. The incident occurred on April 1, 2019, as Ms. Sandoval was walking West bound on Central Avenue to cross C Street, approximately three feet from the intersection, she tripped on a section of the sidewalk that had raised concrete. The demand is unknown as the claimant is currently undergoing treatment.

### **ISSUES/ANALYSIS**

On May 14, 2019, the City of Chino mailed a notice of insufficiency. The claim failed to indicate if this would be a limited or unlimited civil matter. To date, the City has not received an amended claim.

In addition, an investigation revealed no service calls were made, during the last year to report a dangerous condition at the location of the incident. However, staff did go out and assess the area and grinded down a 3/4" raised area of the sidewalk to level the panel.

Therefore, Staff recommends that this claim be rejected and proper notification be sent to claimant's counsel. Chino Municipal Code Section 3.70.070 provides that the City Council shall act on a claim in the manner provided in Government Code Section 912.4 and 912.6 within forty-five days after the claim has been presented. If the City Council fails to act on any claim filed under this chapter, the claim will be deemed denied on the forty-fifth day after the claim was presented.

Attachment: Sandoval Claim