



City of Waukesha
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Committee: None	Date: 9/26/2023
Common Council Item Number: 23-7744	Date: 10/3/2023
Submitted By: Brian Running	City Administrator Approval: GLK
Finance Department Review: JPC	City Attorney's Office Review: BER
Subject: Disallowance of claim for damage to tires – Briana Monsivais.	

Details:

Ms. Monsivais submitted a claim for damages totaling \$197.28, for replacement of two tires. She alleged that they were punctured "due to the resurfacing project" on the street in front of her house. The Tires Plus invoice indicated that the tires were punctured by nails. Additional explanation of how the damage could have been caused by the street paving project or was somehow the city's responsibility was requested. Ms. Monsivais responded that during the resurfacing project debris was constantly left in the entrance of her driveway. See the accompanying materials. She has now submitted another claim, stating that a third tire must now be replaced because of a lag bolt penetrating the tread. Disallowance of the claim is recommended because there is not sufficient proof that the damage is due to the repaving project. Nails and lag bolts are not used in asphalt paving projects, and of course we have no idea where else she may have driven her car. In any event, it would be our contractor's responsibility.

Options & Alternatives:

No alternative is recommended.

Financial Remarks:

There is no financial impact from a disallowance.

Executive Recommendation:

Disallow the claim.