



Date: Tuesday, August 8, 2023

Honorable Mayor and Council Members

Author and title: Nicole Casey, Administrative Services Director

Title: **Claim for Damages against the Town of Truckee**

Jen Callaway, Town Manager

Recommended Action: Council reject the claim for damages against the Town of Truckee.

Discussion: On June 28, 2023, the Town of Truckee received an email notification of a claim for damages submitted by the Harris Law Firm on behalf of Sasha's Arizona LLC. Alleged damages included not being able to earn rental and business income and increased construction costs related to their planning project timeline. Total damages claimed were estimated to exceed \$498,000.

Town Municipal Code Section 3.16.010.1 (d) requires that the Town Council recommend settlement or denial for claims of \$10,000 or more.

The Town Attorney has reviewed this claim and staff are recommending rejection of this claim based upon the Town's immunity under Government Code Section 818.4 from liability arising from the issuance, denial, or failure to issue or deny, any permit, approval, or other authorization.

The documentation related to this claim is in the risk management file and is available for your review.

Priority:

<input type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

Fiscal Impact: Potential litigation costs if claimant pursues further legal action.

Public Communication: N/A

Attachments: Claim for damages