

COUNTY OF SANTA CRUZ



OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

GOVERNMENT CENTER (408)454-2040 FAX(408)454-2115

DWIGHT L. HERR COUNTY COUNSEL

DEBORAH STEEN SAMUEL TORRES, JR. CHIEF ASSISTANTS

HARRY A. OBERHELMAN III MARIE COSTA JANE M. SCOTT RAHN GARCIA TAMYRA CODE PAMELA FYFE ELLEN LEWIS KIM BASKETT LEE GULLIVER DANA McRAE

GOVERNMENT TORT CLAIM RECOMMENDED ACTION

Agenda April 28, 1998

To: The Board of Supervisors

Re: Claim of Richard and Judith Zscheile, No. 798-118B

Original Document and associated materials are on file at the Clerk to the Board of Supervisors.

In regard to the above-referenced claim, this is to recommend that the Board take the following action:

X 1. Deny the claim of Richard and Judith Zscheile, No. 798-118B and refer to County Counsel.

Deny 2 the application to file a late claim on behalf of and refer to County Counsel.

3. Grant the application to file a late claim on behalf of and refer to County Counsel.

4. Approve the claim of in the amount of and reject it as to the balance, if any, and refer to County Counsel.

5. Reject the claim of as insufficiently filed and refer to County Counsel.

cc: John Fantham, Director Department of Public Works

RISK MANAGEMENT

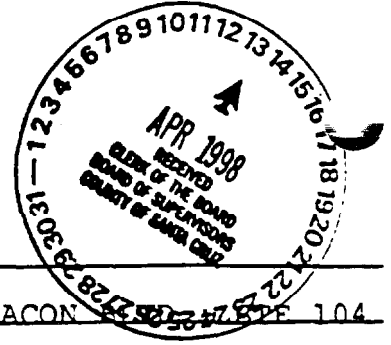
By Janet McKinley

COUNTY COUNSEL

By [Signature]

LTR9.WPT

TO: BOARD OF SUPERVISORS
COUNTY OF SANTA CRUZ
ATTN: Clerk of the Board
Governmental Center
70 1 Ocean Street, Santa Cruz, CA 95060



1. Claimant's Name: RICHARD & JUDITH ZSCHEILE
Address: c/o STEPHEN N. COLE & ASSOC., 3050 BEACON
WEST SACRAMENTO, CA 95691
Phone No: (916) 371-5041

P.O. Box to which notices are to be sent: N/A

2. Occurrence: _____
Date: 7-6-98 Place: 3211 FAIRWAY DRIVE, SOQUEL, .CA

Circumstances of occurrence or transaction giving rise to claim: COUNTY OF SANTA CRUZ FAILED TO PROPERLY TRIM EUCALYPTUS TREES IT OWNED ADJACENT TO THE ROADWAY. ONE OF THE TREES FELL AND STRUCK ZSCHEILE'S PROPERTY, CAUSING DAMAGE TO THE STRUCTURE & CONTENTS

4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known: DAMAGES TO THE STRUCTURE AND CONTENTS ARE ESTIMATED TO BE ABOUT \$200,000.

5. Name(s) of public employee(s) causing injury, damage or loss, if known: RUSS A
ENCROACHMENT AND DRIVEWAY DIVISION OF THE SANTA CRUZ CO. PUBLIC WORKS

6. Amount claimed now \$ _____
Estimated amount of future loss, if known \$ _____

TOTAL Approximately \$200,

7. Basis for above computations: CLAIMANT HAS YET TO COMPLETE REPAIRS TO THE STRUCTURE AND CONTENTS. CLAIMANT WILL CLAIM THE TOTAL AMOUNT WHEN THE REPAIRS COMPLETED.

8. If the amount claimed is over \$ 10,000, indicate the court of jurisdiction:
_____ Municipal Court XXXX _____ superior Court

CLAIMANT'S SIGNATURE: [Signature] /STEPHEN N. COLE

r & r must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned

Americans with Disabilities Act questions or requests for accommodations may be directed to the ADA Coordinator at 454-2962 (TDD 454-2 123).