

OFFICE OF THE
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

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GOVERNMENT TORT CLAIM
RECOMMENDED ACTION

Agenda June 23, 1998

To: Board of Directors, Pajaro Valley Storm Drain Maintenance District

Re: Claim of Louis Jemison, No. 798-160A

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. Oeny the claim of Louis Jemison, No. 798-160A and refer to County Counsel.

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

Grant 3 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.

RISK MANAGEMENT

cc: John Fantham, District Engineer

By Janet McKinley

COUNTY COUNSEL

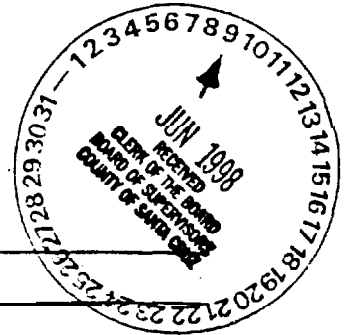
By Elle Lewis

LTR9.WPT

PER 5107 Rev. 4/97

CLAIM AGAINST THE COUNTY OF SANTA CRUZ
(Pursuant to Section 910 et Seq., Govt. Code)

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



1. Claimant's Name: Louis Lemison
Address: 1 81 Via Novella,
Aptos. Ca. 95003
Phone No: 408-688-3677

P.O. Box to which notices are to be sent: non

2. Occurrence: Parjro Valley Ditch Maintanece District's failer to maintian ditch embankment adjacent to my leasehold improvements
Date: 05/30/98 Place: adjacent to my leasehold improvements off of 356 Ford St. , Watsonville, Ca.

Circumstances of occurrence or transaction giving rise to claim: The PVDMD's director of maintanece, Mr Fantham acting as Director of Public Works, Santa Cruz County, in his letter dated May 1 1, 1998 claims that the embankment of the drainage ditch that runs through M.F. Farming Co.'s property and is par? of the PVDMD drainage system is not the responsibility of PVDMD. However the embankment of the Ditch is an intergal part of the drainage system that the PVDMD is suppose to maintain. The embankemt has given way andis endangenng the building that I lease from M.F. Farming Co. and thus endancerina my leasehold improvements.

4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known:

The failer of PVDMD to maintain the embankments of it's drainage ditch that runs through M.F. Farming Co.'s property is endangering my leasehold and the cost to repair the embankment that threatens my leasehold is estimated at \$5000.00 dolars.

5. Name(s) of public employee(s) causing injury, damage or loss, if known: _____

6. Amount chimed now \$ 5,000.00

Estimated mount of future loss, if known \$ unknown

TOTAL \$ 5,000.00

7. Basis for above computations: The cost of materials and estimant of labor to repair existing 15 feet of terrace system that acts as a series pf one too two foot high retaining walls

8. If the amount claimed is over \$10,000, indicate the court of jurisdiction:

_____ Municipal Court _____ Superior Court

CLAIMANT'S SIGNATURE: *Louis Lemison*

Note: Claim must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned the injury.

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

PER5003

cc: Mr. Ray Belgard