

OFFICE OF THE
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

GOVERNMENT CENTER
(408)454-2040
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701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

DWIGHT L. HERR
COUNTY COUNSEL

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CHIEF ASSISTANTS

GOVERNMENT TORT CLAIM
RECOMMENDED ACTION

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

ASSISTANTS

Agenda January 12, 1999

To: The Board of Supervisors

Re: Claim of Edward & Marlene Avona, No. 899-070A

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:

- 1. Deny the claim of Edward & Marlene Avona, No. 899-070A and refer to County Counsel.
- 2. Deny 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
Alvin James, Planning Director

RISK MANAGEMENT

By Janet McKinley

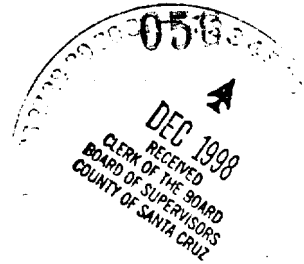
COUNTY COUNSEL

By Ellen Lewis

LTR9.WPT

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

899-070A



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: Edward and Marlene Avona
Address: 303 Meadowlark Lane
Antos, CA 95003
Phone No: (831) 685-9106

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

2. Occurrence: Grading and paving in contravention of Tenantive Map approved by
the Board of Supervisors. See #
Date: 1/1/98 Place: Rio Highlands Subdivision Antos CA

Circumstances of occurrence or transaction giving rise to claim: Santa Cruz County Public Works
and Planning Departments wrongfully approved the Final Map for the Rio
Highlands Subdivision that did not substantially comply with the Rio
Highlands Subdivision Tenantive Map

4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known:
Loss of Privacy unreasonable interference home; enjoyment of
Nuisance: diminuation in property value; flooding; diverting of run off
water onto claimaint's real proper y: privation of due process

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

6. Amount claimed now \$50,000
Estimated amount of future loss, if known To be ascertained
TOTAL \$ _____

7. Basis for above computations: Please see No 4 above

8. If the amount claimed is over \$ 10,000, indicate the court of jurisdiction:
_____ Municipal Court _____ Santa Cruz County _____ Superior Court

CLAIMANT'S SIGNATURE: Edward Avona Marlene L. Avona

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).