

OFFICE OF THE  
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

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

DWIGHT L. HERR  
COUNTY COUNSEL

DEBORAH STEEN  
SAMUEL TORRES, JR.  
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 GULLMR  
DANA McRAE

ASSISTANTS

Agenda January 12, 1999

To: The Board of Supervisors

Re: Claim of Jerry & Eloise Lincicum, Nb. 899-070C

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. <sup>X</sup> Deny the claim of Jerry & Eloise Lincicum, No. 899-070C 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 Dejevis

LTR9.WPT

PER 5107 Rev. 4/97

THIS IS AN  
UNSIGNED COPY. IT WILL  
BE SIGNED & RETURNED TO THE  
CLERK AS SOON AS THEY RETURN FROM  
VACATION.

899-070 C  
060  
DEC 1998  
RECEIVED  
CLERK OF THE BOARD  
BOARD OF SUPERVISORS  
COUNTY OF SANTA CRUZ

**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  
70 1 Ocean Street, Santa Cruz, CA 95060

Claimant's Name: Jerry and Eloise Lincicum

Address: 287 Meadowlark Lane

Antos, CA 95003

Phone No: (831) 685-3508

P.O. Box to which notices are to be sent: \_\_\_\_\_

2. Occurrence: Grading and paving in contravention of Tentative Map approved by  
the Board of Supervisors. See #4

Date: Place 1/1/90 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 Tentative Map

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

Loss of Privacy; unreasonable interference with enjoyment of home;

Nuisance: flooding; diverting of run off

water onto claimant's <sup>RENTED</sup> property; deprivation 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: \_\_\_\_\_

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 454-2123).