

County of Santa Cruz

OFFICE OF THE COUNTY COUNSEL

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

		Agenda February 8, 2000
To: Board of	Directors, Pajaro Valley Sto	rm Drain Maintenance District
Re: Claim	of Erica Sumner, No. 900-08	36B
Original docum	ment and associated materials are on	file at the Clerk to the Board of Supervisors.
In regard to th	e above-referenced claim, this is to	recommend that the Board take the following action:
X_1.	Deny the claim of Erica Sumr Counsel.	ner, No. 900-086B and refer to County
2.		claim on behalf of
	and refer to county Counsel.	
3.	Grant the application to file a late of	claim on behalf of
	and refer to County Counsel.	
<u>4</u> .	Approve the claim of	in the amount of ne balance, if any, and refer to County Counsel.
	and reject the	ne balance, if any, and refer to County Counsel.
5.	Reject the claim of	as insufficiently filed and refer
	to County Counsel.	
c: John Fantham, District Engineer RISK MANAGEMENT		
		By land Mikinley
		COUNTY COUNSEL
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900-086B

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January 7, 2000

Board of Supervisors County of Santa Cruz ATTN: Clerk of the Board 701 Ocean Street Santa Cruz, CA 95060

Santa Cruz County Flood Control and Water Conservation District 7 County of Santa Cruz, Public Works ATTN: Peter Cota-Robles 701 Ocean Street Santa Cruz, CA 95060

Pajaro Valley Storm Drain Maintenance District County of Santa Cruz, Department of Public Works ATTN: Terry Reynolds 701 Ocean Street Santa Cruz, CA 95060

RE: CLAIM AGAINST THE COUNTY OF SANTA CRUZ, SANTA CRUZ COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT 7 AND THE PAJARO VALLEY STORM DRAIN MAINTENANCE DISTRICT, PURSUANT TO CALIFORNIA GOVERNMENT CODE \$910 et seq.

Dear Ms. Rosario, Mr. Cota-Robles and Mr. Reynolds:

The following is a claim against the above named entities persuant to Government Code §910 et seq.

1. <u>Claimant's Name</u>: Erica Sumner

Address: 2967 Freedom Boulevard

Watsonville, CA 95076

Phone: (831)728-0863

The County of Santa Cruz, the Santa Cruz County Flood Control and Water Conservation District 7 and the Pajaro Valley Storm Drain Maintenance District Claim Pursuant to Gov't Code \$910 et seq.

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2. Occurrence: Flooding and continued threat of flooding to 2967 Freedom Boulevard and drainage of County culvert with unsafe E-coli levels onto 2967 Freedom Blvd

DATE: From March 1999 to Present PLACE: 2967 Freedom Boulevard Watsonville, CA 95076

Circumstances of occurrence or transaction giving rise to claim:

- (1) Freedom Lake has flooded, and in the event of heavy rams, continues to threaten to flood the real property known as 2967 Freedom Boulevard; and (2) a County owned culvert has drained and continues to drain onto 2967 Freedom Boulevard, the waters of which contain ecoli levels that are unsafe for body contact.
- 4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known:

Thus far, 2967 Freedom Boulevard has sustained the following damage:

- (1) repeated flooding which damaged structural elements and mechanical features of the residence, storage shed and yards on said property;
- (2) continued threat of flooding;
- (3) Erica Sumner has lost time from work in order to repair flood damage and to attempt to prevent flood damage;
- (4) out of pocket expenses to repair flood damage to structures; and drainage water from a County owned culvert which water is unsafe for body contact
- 5. Names of public employees causing injury, damage, or loss, if known: Unknown at this time.
- 6. Amount Claimed Now: This amount will be determined according to proof. Estimated Future Loss: Unknown at this time.
- 7. Basis for Above Computations: N/A

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The County of Santa Cruz, the Santa Cruz County Flood Control and Water Conservation District 7 and the Pajaro Valley Storm Drain Maintenance District Claim Pursuant to Gov't Code §910 et seq.
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8. If the amount is claimed is over \$10,000, indicate the court of jurisdiction:

Municipal Court

X Superior Court

CLAIMANT'S SIGNATURE:

Erica Sumner

Please provide notice of your approval/denial of this claim as soon as is practicable.

Very truly yours,

Jonathan Wittwer