



County of Santa Cruz

OFFICE OF THE COUNTY COUNSEL

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda March 21, 2000

To: Board of Supervisors

Re: Claim of George and Sally Jones, No. 900-101

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 ☒ . Reject the claim of George and Sally Jones, No. 900-101 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 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

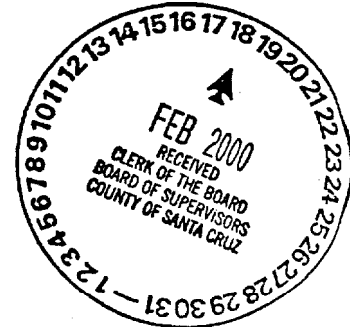
COUNTY COUNSEL

By Samuel Torres

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1175 Brommer Circle
Santa Cruz, California 95062
February 14, 2000

Jan Beautz, District Supervisor
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060



Re: Flooding of Brommer Circle
residences, due- to Omar Court
Development

Dear Mrs. Beautz,

As a result of a recently built housing project called Omar Court, the drainage pattern has changed; and now water is flooding our back and side yards. Water is flowing under the foundation of our house. Water is also flooding the yard of our neighbors next to us, and they have installed a pump to keep the water from going into their living-room. We are also installing a pump to see if it will help. We have all been dry for fifteen years, and we have seen worse storms than this one.

Due to the natural topography of the land, with Hope way and Eldorado much higher than we are, this is a natural waterway. There is no other place for the water to go. Omar Court used to be a field, which was 5 to 6 feet lower than our property.

The land division included 6 feet of fill, but did not include any drainage facilities to accept storm surface water in the back of the property from adjacent properties under normal rainfall conditions.

We have contacted the subdivider, and he has disavowed any responsibility. We have- also contacted: Mike- Hill, the new owner of the adjacent property; Chris Giovannoni and Glenn Goepfert of the Department of Public Works; Robert DeWitt, the engineer of the Omar Project; and a lawyer. Mr. Dewitt, the project engineer, came out to assess the situation; and his recommendations are attached.

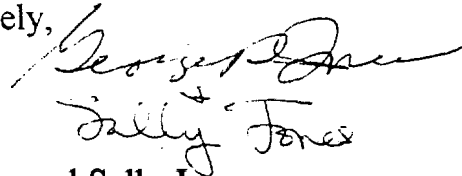
Is there not a maintenance bond available for one year that could cover the -expenses required to correct this problem that was- created by the development of the Omar Project?

The urgency is only felt by the parties who are being flooded. We would like to avoid the possible problems of mold and dry-rot--and for our neighbors, the ruining of their wooden floors and furniture.

We feel that the County should require the developer to correct the drainage problem that he created. His project changed the drainage pattern. We would like the County to force him to correct the matter immediately.

We would appreciate a swift reply. It is still raining.

Sincerely,

Handwritten signatures of George and Sally Jones. The signature for George is written above the signature for Sally.

George and Sally Jones

476-9649

gsrj-insc@msn.com

cc: Glenn Goepfert, Public Works
Chris Giovannoni, Public Works
Michael Tansy, Developer
Robert Dewitt, Project Engineer
Michael Hill, Omar Court Homeowner
Tom Thomson, Brommer Circle Homeowner
Mark Deming, Brommer Circle Homeowner
Risk Management, County of Santa Cruz