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# County of Santa Cruz

## OFFICE OF THE COUNTY COUNSEL

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## GOVERNMENT TORT CLAIM

### RECOMMENDED ACTION

Agenda June 6, 2000

To: Board of Supervisors

Re: Claim of Pati Parodi & Erica Sumner, No. 900-086D

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. Reject the claim of Pati Parodi & Erica Sumner, No. 900-086D 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

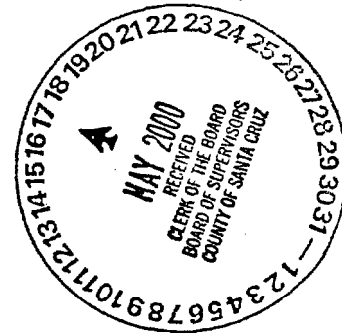
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900-086D

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May 15, 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, Planning Department  
ATTN: Jack Nelson  
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. Nelson and Mr. Reynolds:

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

- Claimant's Name: Pati Parodi & 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.

May 15, 2000

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

DATE: From Jan 7, 2000 to Present      PLACE:      2967 Freedom Boulevard  
Watsonville, CA 95076

Circumstances of occurrence or transaction giving rise to claim: ~

- (1) On or about the weekend of February 12, 2000, Freedom Lake flooded claimant's property at 2867 Freedom Boulevard, including claimants' home and structures.
- (2) In the event of heavy rains, Freedom Lake continues to threaten to flood the property known as 2967 Freedom Boulevard; and
- (2) A County owned culvert has drained and continues to drain onto 2967 Freedom Boulevard, the waters emanating from this culvert contain ecoli levels that are unsafe for human and domestic pet 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 the exterior and interior (including structural elements and mechanical members) and fixtures, furnishings and furniture of both the residence and storage shed on said property all as set forth in the attached list marked Exhibit A;
- (2) Continued threat of flooding;
- (3) Pati Parodi and Erica Sumner have both lost time from work in order to repair and otherwise address the damages caused by flood, and to attempt to prevent flood damage;
- (4) Out of pocket expenses to repair and address flood damage; and
- (5) Repeated drainage of unsafe and unhealthy water from a County owned culvert.

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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5. Names of public employees causing injury, damage, or loss, if known:

Unknown at this time.

6. Amount Claimed Now: At least \$59,267 out of pocket and other damages currently  
unquantified.

Estimated Future Loss: Unknown at this time.

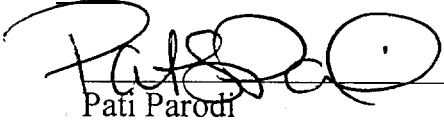
7. Basis for Above Computations: Estimate of contractor, damage to property, special  
and general damages.

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

Municipal Court

X Superior Court

CLAIMANT'S SIGNATURE:

  
Pati Parodi

  
Erica Sumner

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

Very truly yours,

Jonathan Wittwer