



# County of Santa Cruz

## OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, SUITE 606, SANTA CRUZ, CA 960604068  
(831) 464-2040 FAX: (831) 454-2116

SAMUEL TORRES, JR., COUNTY COUNSEL

Assistants

CHIEF ASSISTANTS  
RAHN GARCIA  
DANA McRAE

Deborah Steen	Kim Baskett
Harry A. Oberhelman III	Julia Hill
Marie Costa	Shannon Sullivan
Jane M. Scott	Sharon Carey-Stronck
Tamyra Rice	Dwight L. Herr
Pamela Fyfe	

### GOVERNMENT TORT CLAIM

#### RECOMMENDED ACTION

Agenda August 28, 2001

To: Board of Supervisors

Re: Claim of Giovanni Brignolo, No. 102-007

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 Giovanni Brignolo, No. 102-007 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: Tom Bolich, Director  
Department of Public Works

#### RISK MANAGEMENT

By Janet McKinley  
Janet McKinley, ARM, Risk Manager

#### SAMUEL TORRES, JR., COUNTY COUNSEL

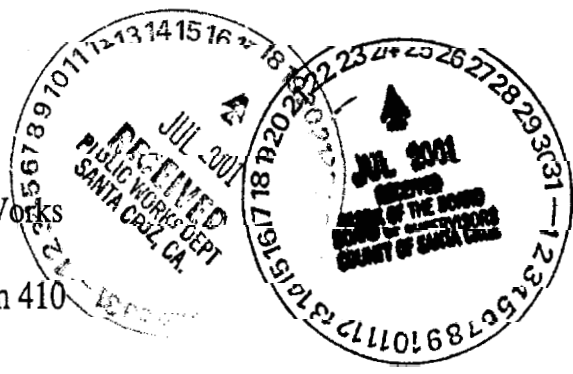
By Kim Elizabeth Baskett  
Kim Elizabeth Baskett, Assistant County Counsel

SRL  
RISK

BRIGNOLO

July 17, 2001

To: Department of Public Works  
County of Santa Cruz  
701 Ocean Street, Room 410  
Santa Cruz, CA 95060



RECEIVED  
PERSONNEL DEPT - 1  
08 JUL 20 PM 2:35

RE: Accident of July 7, 2001 on Valencia Rd at intersection with Valencia School Rd.

**To whom it may concern:**

I own a house in 2918 Scriver St., Santa Cruz, CA 95062 where I was spending some vacation time.

On Saturday, July 7, 2001 I was on a bicycle ride traveling on Valencia Rd. towards Freedom Blvd and at around noon I fell down from my bicycle because of a large crater left on the road at the intersection with Valencia School Rd.

As I was exiting an area surrounded by Redwood trees and very much in the shade, I found my bicycle lane suddenly interrupted by this crater and could not change direction in order to avoid entering the car traffic lane and oncoming traffic. My front wheel landed on the crater left on my right bicycle lane of Valencia Road and I was thrown off my bicycle landing on my head and left body. My helmet was broken (this saved my head), I suffered a severe concussion and several abrasions on my left side (shoulder, knee, elbow).

This crater was a result of neglect from your department, I was told by passing by cyclists that stopped for help out that it had been there for months and already had reported this anomaly to your department. I think it is irresponsible to leave such a hazard on a well-traveled road like Valencia and for such a long period of time.

I reported this accident to the local sheriff and I was told by my cyclist friends that regularly ride on Valencia Road (for their daily training), that as a result of my accident, this crater was filled the day after my accident occurred.

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2/7-24-01

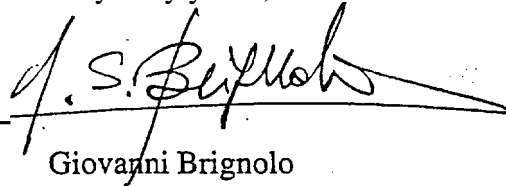
I have suffered material damages, injuries and damage to my equipment as a result of this accident. I have also missed time at work nursing my concussion and injuries.

I am holding the Santa Cruz Public Works department responsible for neglecting such basic maintenance on Valencia Road and I am requesting that my damages be covered for the amount of \$1,000.00 (One thousand dollars).

Please contact me to resolve this matter. If I do not hear from you in the next fifteen days from receipt of this letter, I will pursue this matter further by following the legal channels for my protection under the California law.

Thank you for your cooperation.

Very truly yours,

  
Giovanni Brignolo

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Giovanni Brignolo  
19645 Saratoga-Los Gatos Rd. .  
Saratoga, CA 95070

Phone: (408) 354-1515