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County of Santa Cruz

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda November 20, 2001

To: Board of Supervisors

Re: Claim of Joe and Sylvie Mendes, No. 102-043

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 Joe and Sylvie Mendes, No. 102-043 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: Alvin James, Planning Director

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

102-043

Mendes

0032

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October 11, 2001

VIA FEDERAL EXPRESS

Clerk of the Board of Supervisors
COUNTY OF SANTA CRUZ
701 Ocean Street
Santa Cruz, CA 95060



Re: Claim - 2630 Orchard Street, Soquel, CA
Our File No.: 22790
Claimants: Joe and Sylvie Mendes

Dear Clerk of the Board of Supervisors:

I forward herewith a claim on behalf of Joe and Sylvie Mendes relating to the property located at 2630 Orchard Street, Soquel, California.

Please call us if you have any questions.

Very truly yours,

RICHARD K. ABDALAH

RKA/mhw
Enclosure (Claim)

cc: Joe and Sylvie Mendes

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2/10-12-01

TO: Clerk of the Board of Supervisors
COUNTY OF SANTA CRUZ
701 Ocean Street
Santa Cruz, CA 95060

RE: 2630 Orchard Street
Soquel, California



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Joe and Sylvie Mendes hereby make a claim against the County of Santa Cruz and makes the following statements in support of the claim:

1. Claimants' post office address is P. O. Box 1075, Aromas, California, 95004.

2. Notices concerning the claim should be sent to:

Richard K. Abdalah
JACKSON & ABDALAH
10455 Torre Avenue
Cupertino, CA 95014

3. The date and place of the occurrence giving rise to the claim occurred on or about April 12, 2001, when the Santa Cruz County Building Department issued a Notice of Violation of Santa Cruz County Code, listing, among other things, non-compliance with site plan and use permit conditions including improvement / structures within front yard setback. The County of Santa Cruz Planning Department prohibited claimants from completing construction of mobile home park units after approval and issuance of permit by the County of Santa Cruz and the State of California, Department of Housing and Community Development.

4. Claimants incurred damages, including but not limited to loss of rental income, increased construction expenses and attorneys' fees.

5. The names of the public employees causing claimants' injuries are Kevin M. Fitzpatrick and David Laughlin.

6. The claim, as of the date of this claim, is in the amount in excess of \$10,000, which would place it in the unlimited civil court jurisdiction. The claim is based on loss of income, increased construction expenses and attorneys' fees, in an amount to be proven later.

DATED: October 11, 2001

A handwritten signature in black ink, appearing to read "Richard K. Abdalah".

RICHARD K. ABDALAH, on behalf
of Claimants