

County of Santa Cruz

OFFICE OF THE COUNTY COUNSEL

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Agenda

SAMUEL TORRES, JR., COUNTY COUNSEL

CHIEF ASSISTANTS RAHN GARCIA DANA McRAE

Assistants

Deborah SteenKim BaskHarry A. Oberhelman IIIJulia HillMarie CostaShannonJane M. ScottSharon CTamyra RiceDwight LPamela FyfeFor the start of the

Kim Baskett Julia Hill Shannon Sullivan Sharon Carey-Stronck Dwight L. Herr

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

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:

<u> </u>	Reject the claim of <u>Joe and Sylvie Mendes</u> , 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 ofas insufficiently filed
	and refer to County Counsel.

cc: Alvin James, Planning Director RISK MANAGEMENT

Janet McKinley. Risk N anager

SAMUEL TORRES, JR., COUNTY COUNSEL

Bv ' Kim Elizabeth Baskett, Assistant County Counsel

102-043

JACKSON & ABDALAH A PROFESSIONAL CORPORATION ATTORNEYS AT LAW 10455 TORRE AVENUE CUPERTINO, CALIFORNIA 95014-3203 TELEPHONE (408) 252-5211

Mendes

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RICHARD K. ABDALAH EMPLOYMENT. REAL ESTATE. CIVIL LITIGATION. BUSINESS & CONSTRUCTION

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ESTHER SU V XCE MAIL (408) 235-9842

October 11, 2001

VIA FEDERAL EXPRESS

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



Re: <u>Claim - 2630 Orchard Street, Soquel, CA</u> 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.

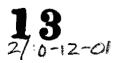
Please call us if you have any questions.

Very truly yours, Unk U

RICHARD K. ABDALAH

RKA/mhw Enclosure (Claim)

cc: Joe and Sylvie Mendes



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



RE: 2630 Orchard Street Soquel, California

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

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RICHARD K. ABDALAH, on behalf . of Claimants