



0023

# County of Santa Cruz

## OFFICE OF THE COUNTY COUNSEL

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## GOVERNMENT TORT CLAIM

### RECOMMENDED ACTION

Agenda June 4, 2002

To: Board of Supervisors

Randy Zar, an individual, Randy Zar, Trustee, Alvin Zar, Trustee,  
Aviar Rev. Trust, No. 102-121

Re: Claim of \_\_\_\_\_

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:

Randy Zar, an individual, Randy Zar, Trustee, Alvin Zar,  
Trustee, Aviar Rev. Trust, No. 102-121

- ☒ 1. Reject the claim of \_\_\_\_\_ 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, Risk Manager

DANA McRAE, COUNTY COUNSEL

By Kim Elizabeth Baskett  
Kim Elizabeth Baskett, Assistant County Counsel

102-121

ZAR

# CLAIM AGAINST THE COUNTY OF SANTA CRUZ

(Pursuant to Section 910 et Seq., Govt. Code)

0024



TO: BOARD OF SUPERVISORS  
COUNTY OF SANTA CRUZ  
ATTN: Clerk of the Board  
Governmental Center  
701 Ocean Street, Santa Cruz, CA 95060

1. Claimant's Name: RANDY ZAR, an individual; RANDY ZAR, Trustee; ALVIN ZAR, Trustee; AVIAR REV. TRUST  
Address: 2000 MacGregor Road, Aptos, CA 95003  
Phone No: 831-661-0304

P.O. Box to which notices are to be sent: P.O. Box 1282, Aptos, CA 95001

2. Occurrence: breach of Contract, Violation of Constitutional Rights, Negligence, Estoppel, Laches.  
Date: 3/22/02 Place: Aptos, CA

3. Circumstances of occurrence or transaction giving rise to claim: Claimants contracted with County of Santa Cruz to locate, excavate and provide access to County manhole cover and line at claimant's expense, in exchange for expungement of environmental violations on claimant's property.

4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known: County expunged violation for deck within riparian area following work done by claimant per contract with County in 1997. County filed new violation for same condition in 2001, in breach of the contract.

5. Name(s) of public employee(s) causing injury, damage or loss, if known: Santa Cruz County Planning Department, Department of Public Works.

6. Amount claimed now: ..... \$175,000  
Estimated amount of future loss, if known ..... To be determined

TOTAL: In excess of \$175,000

7. Basis for above computations: Value of services performed by claimant per contract with County, emotional distress, diminution of value of real property.

8. If the amount claimed is over \$10,000, indicate the court of jurisdiction: Santa Cruz County Superior Court

CLAIMANT'S SIGNATURE:

*[Handwritten Signature]* Attorney for claimants

Note: Claim must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned the injury.

Americans with Disabilities Act questions or requests for accommodations may be directed to the ADA Coordinator at 454-2962 (TDD 454-2 123).

10

2/4-29-02