



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
February 19, 2014**

TO: Mayor and City Council
FROM: Mercy G. Cabral, Deputy City Clerk
SUBJECT: Rejection of Claim
DATE: February 10, 2014

RECOMMENDATION:

Reject claim against the City by Monica Santistevan, #13-32, and order that the claimant be notified.

BACKGROUND:

Claims should be rejected, claimant notified of the rejection, and referred to Municipal Pooling Authority and/or the City Attorney. Government Code Section 912.6(4) provides, "If legal liability of the public entity ... is disputed, the City Council may reject the claim..."

The statute of limitations for filing a court action on a claim commences upon notification of rejection of claim.

FISCAL IMPACT:

No impact to General Fund.

ACTION:

Motion rejecting claim against the City and order that the claimant be notified.

Attachment:
Claim #13-32

APPROVED BY: 
Interim City Manager



Reserve for filing stamp

CLAIM PRESENTED TO THE CITY OF MARTINEZ
* Please read the instructions on the back before completing.

RECEIVED
DEC 23 2013

CITY OF MARTINEZ
CITY CLERK'S OFFICE

(13-32)

1. Claimant's Name: (PRINT) Monica Lynn Santistevan
Address: 90 F. street, Apt #229
Day Phone: (925) 372-2018 Eve Phone: (510) 860-9183

2. When did the damage or injury occur?
Month: Dec Day: 12 Year: 2013 Time: (a.m.) /p.m. 7:35am Police Report # 13-3554

3. At which location did the damage or injury occur?
Damage happened on Public Street F. St. Up the Hill By Sand Station

4. a. What happened and why is the City responsible? I came out of my apt, walked up hill to where my car was parked since 4:45 pm on wed 12-11-13. NOTICED my front Driver Side head light, hood, front corner panel crushed in (total loss). my car is ~~the~~^{one} of other vehicles in our apt complex hit and run by having a sand station ~~where we have to park.~~ station

b. Name and position of responsible City Employee(s), if known: Sand Station Dept.

5. What damage or injury occurred? my front Driver side, Light, Panel and Bumper Crushed in by unknown vehicle. there was Dirt left behind possible truck backed up into my parked car. ~~While~~ while getting Sand from Sand Station.

6. Claim amount (only if less than \$10,000): 3,500⁺
If the amount exceeds \$10,000, please check (X) the court of appropriate jurisdiction:
 Municipal Court (claims up to \$25,000) Superior Court (claims over \$25,000)

7. How did you arrive at the amount claimed? Please attach documentation.
~~Not~~ not sure if more damage to engine, it is estimated for parts & labor. and Head light, blinker light total replacement, and front fender

8. I declare under penalty of perjury under the laws of the State of California that the following information is true and correct, and that this declaration was executed on December 12, 2013, at Martinez CA.

Monica L. Santistevan
Signature of Claimant or Representative's Signature

9. **Official Notices and Correspondence**
If represented by an insurance company or an attorney, please provide the information requested below.
Name and Capacity: (PLEASE PRINT) AAA Auto Insurance / Kierstin Marks - adjuster
Address: P.O. Box 22221
City, State, Zip: Oakland CA, 94623-2221
Daytime Telephone: (888) 960-6520 Evening Telephone: () N/A