



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
September 2, 2009**

TO: Mayor and City Council
FROM: Mercy G. Cabral, Deputy City Clerk
SUBJECT: Rejection of Claim(s)
DATE: August 18, 2009

RECOMMENDATION:

Reject claim against the City by Richard Furman Claim No. 09-12 and order that the claimant be notified.

BACKGROUND:

Claims should be rejected, the 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(s) against the City and order that the claimant(s) be notified of rejection.

Attachment: Claim #09-12



Reserve for filing stamp

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

RECEIVED
JUL 7 2009

CITY OF MARTINEZ
CITY CLERKS OFFICE

09-12V

1. Claimant's Name: (PRINT) RICHARD FURMAN
 Address: 1068 PLAZA DR
 Day Phone: (925-228-7509) Eve Phone: (SAME

2. When did the damage or injury occur?
 Month: 6 Day: 30 Year: 09 Time: 8:30 p.m. Police Report # _____

3. At which location did the damage or injury occur?
1068 PLAZA DR.

4. a. What happened and why is the City responsible? Auto WAS PARKED ON STREET IN FRONT OF ADDRESS, MARTINEZ WATER SYSTEM CAME OVER AXOL FIXED METER, AUTO WAS DENTED WHEEL PERSON LEFT
 b. Name and position of responsible City Employee(s), if known:
MARTINEZ WATER SYSTEM

5. What damage or injury occurred?
BOTH DENTS SCRACHES TO AUTO, PARKED BY WATER METER

6. Claim amount (only if less than \$10,000): \$ 1,169.83
 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.
ESTABLISH BY MARTINEZ Auto Body Shop

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 6-30, 2009 at MARTINEZ CA.
7-13-09 Richard A. Furman
 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) _____
 Address: _____
 City, State, Zip: _____
 Daytime Telephone: () _____ Evening Telephone: () _____