



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
May 1, 2013**

TO: Mayor and City Council
FROM: Mercy G. Cabral, Deputy City Clerk
SUBJECT: Rejection of Claim(s)
DATE: April 22, 2013

RECOMMENDATION:

Reject claim(s) against the City by Clifton Mauzey #13-11, 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 the claim(s) against the City and order that the claimant(s) be notified.

Attachment: Claim(s) #13-11.

APPROVED BY:



City Manager



Reserve for filing stamp

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

RECEIVED
MAR 11 2013

CITY OF MARTINEZ
OFFICE OF THE
CLERK

(13-11)

1. Claimant's Name: (PRINT) CLIFTON MAUZEY
Address: 3787 CANYON WAY, MARTINEZ,
Day Phone: (925) 372-6169 ^{CELL} Phone: 925/948-6029 CA 94553

2. When did the damage or injury occur?
Month: MARCH Day: 6 Year: 2013 Time: noon Police Report # CDL
Appx, 12:00 pm F2437249

3. At which location did the damage or injury occur?
HOME ADDRESS ABOVE

4. a. What happened and why is the City responsible? MARTINEZ
POLICE CAME INTO HOME WITH SWAT
SEARCH WARRANT TO ARREST GRANDSON JOHN
POLICE KICKED OPEN 3 LOCKED, INTERIOR EARLY WINE,
DOORS, DAMAGING DOORS, LOCKS, CASING & WHO RESIDES WITH
MOLDING GRANDFATHER,

b. Name and position of responsible City Employee(s), if known:
A NUMBER OF MTZ. CITY POLICE OFFICERS: SCRIBE WAS

5. What damage or injury occurred? DAMAGE DESCRIBED OFFICER J. BOYCE
ABOVE AND IN ATTACHED REPORT AAA INSURANCE.
REASON POLICE GAVE WAS TO BE SURE THERE WERE NO
ARMED RESIDENTS. NO ATTEMPT WAS MADE TO CONTACT
CLAIMANT PROPERTY OWNER, WHO WAS AT MTZ. SR. CENTER
ONLY 10 MIN. AWAY.
WHO COULD HAVE UNLOCKED DOORS.

6. Claim amount (only if less than \$10,000): 1,969.59
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)
ONE THOUSAND, NINE HUNDRED &
SIXTY-NINE DOLLARS &
FIFTY-NINE CENTS

7. How did you arrive at the amount claimed? Please attach documentation.
DOCUMENTATION ATTACHED BY AAA HOME INSURANCE
CLAIMS REPRESENTATIVE: LIZ MEJASICH TEL 925/935-4625

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 MON, MARCH 11, 2013 at MARTINEZ, CA.

Clifton Mauzey
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: () _____