

## Michele King

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**From:** Hortense Vasquez <hortense.vasquez@yahoo.com>  
**Sent:** Sunday, April 21, 2024 6:27 PM  
**To:** Board of Directors  
**Cc:** Lilian Dennis; Ronald Snyder  
**Subject:** Claim done by the homeless at 3673 Waterbury Ct., San Jose, CA  
**Attachments:** Current Claim Form (07-10-23)\_Fillable Copy.pdf; 4.17.24 Late Claim Letter.pdf

**\*\*\* This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. \*\*\***

I am being told by Ms. Dennis that the claim was denied because it was past the six months. since the incident. The only defense for the late claim was that I did not know I had only 6 months to file a claim, otherwise you can be sure I would have done it on time.

Santa Clara Water District has always repair the damage done by the homeless thru out the years, and I sent several letters saying something big was bound to happen because the homeless were building bonfires every night and the fire department was being called almost nightly.

I do not think you need me to go thru the incident again, I am including the form I filled out and all the correspondence sent to me by Ms. Dennis.

I hope you will reconsider the decision.

Thank you very much

Hortense Vasquez

408-603-8888

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<p><b>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</b></p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: <a href="mailto:clerkoftheboard@valleywater.org">clerkoftheboard@valleywater.org</a></p>	Clerk of the Board's Date Stamp	
	<b>For SCVWD Use Only</b>	
	Date Received:	<b>ROUTING</b>
	<input type="checkbox"/> Via U.S. Mail	<input type="checkbox"/> CEO
	<input type="checkbox"/> Hand Delivered	<input type="checkbox"/> District Counsel
	<input type="checkbox"/> Email	<input type="checkbox"/> Risk Management
	<input type="checkbox"/> Other: _____	<input type="checkbox"/> COB
		<input type="checkbox"/> BOD (District #): _____

***With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.***

Name of Claimant:		Email Address:	
Address of Claimant:		City:	State: Zip:
Address to which Notices should be sent, if different from above:		City:	State: Zip:
Home Phone Number:	Cell Phone Number:	Work Phone Number:	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss:	Location of incident or loss (address):	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report Case #: <input type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (*Please attach additional sheets if necessary*):

In detail, describe the damage or injury (*Please attach additional sheets if necessary*):

List Name(s) and contact information of any witness(es) or District employee involved (if any):

**DAMAGES CLAIMED:** Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?

☐ Yes

☐ No

Court Jurisdiction: (Check One)

☐ Limited Civil

☐ Unlimited Civil

ITEMS	CLAIM AMOUNT
1.	\$
2.	\$
3.	\$
4.	\$
<b>TOTAL AMOUNT</b>	<b>\$</b>

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)**

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_  
Claimant's Signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.

April 17, 2024

EMAIL: [hortense.vasquez@yahoo.com](mailto:hortense.vasquez@yahoo.com)

Hortense Vasquez  
obo Michael Baughman  
P.O. Box 1323  
Morgan Hill, CA 95038

Re: Late Claim

Dear Ms. Vasquez:

The claim which was presented to the Santa Clara Valley Water District on April 16, 2024 is being returned because it was not presented within six (6) months after the event or occurrence as required by law. See sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

**WARNING**

Your only recourse at this time is to apply without delay to Valley Water's Board of Directors for leave to present a late claim. See sections 911.4 to 912.2, inclusive, and section 946.6 of the Government Code. Under some circumstances, leave to present a late claim may be granted. See Government Code section 911.6.

If you have any questions, you can contact the Risk Management Unit at (408) 630-2652 or at [RiskManager@valleywater.org](mailto:RiskManager@valleywater.org).

Sincerely,



Lilian Dennis  
Management Analyst II  
Risk Management Unit

Enc: Claim



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