

Santa Clara Valley Water District

Phone: 408 265 2600

Fax: 408 445 1435



**Claim Against the  
Santa Clara Valley Water District  
California Government Code  
Sections 900 and following.**

General Counsel Form updated July, 2003

Serve or mail this form to:

**Clerk of the Board**

**Santa Clara Valley Water District**

**5750 Almaden Expressway**

**San Jose, California 95113**

For Office Use Only

Date Received:

By:

1. Name(s) and Address(es) of the person or persons making the claim	Name(s): <i>The Willow Glen Apartments</i> Address: <i>996/998 Almaden Ave. San Jose Ca</i> Phone number (optional): <i>408 260-8596</i>
2. Is this claim filed on behalf of a minor? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If so, please indicate minor's date of birth: Relationship of claim filer to minor:
3. Name and address of the person to who notices are to be sent, if different than Number 1.	Name: Address:
4. Date, place and other circumstances of the occurrence, incident, injury or transaction.  <i>Attach additional sheets for more space, if needed.</i>	Date: <i>FEB 23, 2017</i> Location (address and or nearest intersection): <i>SAME AS ABOVE</i> Other circumstances, including time, if known: <i>5:00 PM -</i>
5. Describe the debt, obligation, injury, damage or loss suffered so far as they are known. Include a description of the facts giving rise to the claim and why you believe the Santa Clara Valley Water District is responsible.  <i>Attach additional sheets for more space, if needed, and photos, if available.</i>	Description:  <i>See separate sheet of paper.</i>
6. Name of the District employee who caused the injury, if known.	Name: <i>N/A</i>
7. Is the amount of this claim now:	Under \$10,000? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Over \$10,000? Yes <input type="checkbox"/> No <input type="checkbox"/>
8. If the amount is now over \$10,000, is this:	A Limited Civil Case? (Less than \$25,000) Yes <input type="checkbox"/> No <input type="checkbox"/> An Unlimited Civil Case? (Greater than \$25,000) Yes <input type="checkbox"/> No <input type="checkbox"/>
Signature: <i>Robert Minayan</i> Date: <i>4-18-17</i>	Additional Signature(s): Date(s):

Claim

cc: CEO  
COB  
District Counsel  
Risk

17 APR 19 AM 8:22

To: Santa Clara Valley Water District  
From: The Willow Glen Apts. / Bob Miroyan  
Date: April 18, 2017

Re: Large eucalyptus trees falling from the creek onto our property.

Our 75 unit Apartment community runs along the Los Gatos creek. We take great care of our property not only structurally but especially our landscaping and trees.

As background we had John Chapman come out about a year ago to review the trees outlining the edges of the creek as many of them needed trimming. We were concerned some may fall in heavy / stormy winds.

Santa Clara Valley Water District chose not to do any trimming but take a wait and see approach. I however at my cost trimmed several, as I didn't think it was wise to wait and I wanted air to flow through the trees preventing any from falling.

On Thursday Feb. 23<sup>rd</sup> at 5:00 PM while it was storming and getting windier, suddenly a large eucalyptus tree on the other side of the creek fell towards our property, taking out 3 of our own trees and all of them came crashing onto our wooden Trellis, damaging it and, our landscaping along with one car.

After negotiations with our Resident, I convinced him to seek recovery from his own auto insurance company. I believe he did and that should no longer be an issue.

Since our parking lot was blocked and access impaired, I called our arborist who came out immediately and worked in the rain into the late evening hours and the following day to clean up the mess from the falling trees. He did this as a service to us because we use him so often and he did it at a discount as well.

What still remains are our Trellis repairs and our landscaping. We have not yet completed this work but I do have a bid which I include here for you to review.

I consider these trees the responsibility of the SCC Water District. You can see from the photos they are very large and can cause quite a bit of damage should they fall.

I have tried to keep this claim to a minimum but I ask you to review it and pay it as soon as possible so that I can fix the problems we have encountered.

The marketing of our property is most important and because of these huge trees damaging our property it has not helped us in these efforts.

Our claim is as follows:

1. Arborist work – tree removal \$4,200
2. Trellis repairs \$1,600
3. Landscaping repairs \$ 1,350

Total \$7,150

Thank you,

Bob Miroyan

















