



# Santa Clara Valley Water District

---

**File No.:** 17-0264

**Agenda Date:** 5/23/2017  
**Item No.:** 3.4.

---

## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Claim of Willow Glen Apartments.

### **RECOMMENDATION:**

Deny the Claim.

### **SUMMARY:**

The District received a claim on April 18, 2017 from Willow Glen Apartments. The apartments are located at 996/998 Meridian Avenue. The claimant states that on Thursday, February 23, 2017, a large eucalyptus tree fell from the other side of Los Gatos Creek causing three trees on the apartment property to fall resulting in property damage.

Staff had visited the property at the request of the claimant and examined the tree in question approximately one year prior to the incident. Staff found that the tree was healthy and stable and did not require pruning. Post-incident, Staff has investigated this matter and found that the base of the tree was undermined by erosion. There was no negligence on this part of the District. Therefore, there is no liability on the part of the District.

The District is not responsible for the damages and recommends that the claim be denied.

### **FINANCIAL IMPACT:**

There is no financial impact associated with this item.

### **CEQA:**

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

---

**File No.:** 17-0264

**Agenda Date:** 5/23/2017  
**Item No.:** 3.4.

---

**ATTACHMENTS:**

Attachment 1: Claim

**UNCLASSIFIED MANAGER:**

Stan Yamamoto, 408-630-2755