



# Santa Clara Valley Water District

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**File No.:** 18-0642

**Agenda Date:** 8/14/2018

**Item No.:** 3.4.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Claim of William Minderler.

### **RECOMMENDATION:**

Deny the claim.

### **SUMMARY:**

The District received a claim on July 11, 2018 from Gilroy resident, William Minderler. According to the claimant, a root from a tree growing on District property pushed up a 6' x 15' concrete pad by approximately two to three inches causing damage to the concrete pad and storage shed situated on the concrete slab. The claimant is seeking reimbursement for \$1,500.00 for the demolition and removal of concrete (\$950.00) and 40 hours of labor (\$550.00) to move the storage shed in order to expose damaged concrete pad.

Risk Management staff has investigated this matter and has determined that there is no negligence on the part of the District. Therefore, there is no liability on the part of the District.

The District is not responsible for the damages to the concrete pad or storage shed 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.

### **ATTACHMENTS:**

Attachment 1: Claim

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**UNCLASSIFIED MANAGER:**  
Stan Yamamoto, 408-630-2755