



Santa Clara Valley Water District

File No.: 18-0924

Agenda Date: 11/27/2018

Item No.: 3.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Claim of Bertrand Teplitzky.

RECOMMENDATION:

Deny the claim.

SUMMARY:

The District received a claim on September 6, 2018 from Cupertino resident, Bertrand Teplitzky. Mr. Teplitzky resides at 10385 Farallone Drive in Cupertino which is near Regnart Creek. According to the claimant, on Friday, July 13 between 10:00 a.m. and 4:00 p.m., a bedroom window was broken by a small stone that was projected by mowing equipment while District staff was working on nearby Regnart Creek. The claimant is seeking unspecified monetary relief to replace the broken window.

Risk Management has investigated this matter. During the date in question, the District did not have any staff working in the Regnart Creek vicinity. The District did have crews working along Regnart Creek on July 18 - 20, but not on July 13. Any damage that might have happened would not have been caused by this entity.

Staff has reviewed this matter and found that there is no negligence on the part of the District. Therefore, there is no liability on the part of the District, and staff 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