



# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi

**MEETING DATE:** February 7, 2001

**SUBMITTED BY:** Human Resources Director

**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

	<u>Date of Loss</u>
A) Lorraine Kildall	6/14/00
B) Charles Lemmon	11/07/00
C) Kathy Roupe	09/25/00
D) Sybil Alvarez	11/08/00
E) Ahmed Shoaib	11/03/00
F) Sandra McQuinn	04/27/00
G) Juan Duarte	10/12/00

**BACKGROUND INFORMATION:** Following review of the verified claims filed against the City of Lodi, the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), and the Senior Human Resources Analyst, recommend that the City deny the subject claims.

**FUNDING:** None required.

Respectfully submitted,

\_\_\_\_\_  
Joanne M. Narloch, Human Resources Director

cc: City Attorney

**APPROVED:** \_\_\_\_\_  
H. Dixon Flynn - City Manager

CITY COUNCIL  
STEPHEN J MANN, Mayor  
ALAN NAKANISHI,  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
KEITH LAND  
PHILLIP A. PENNINO

# CITY OF LODI

CITY HALL  
221 WEST PINE STREET, P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
HUMAN RESOURCES: (209) 333-6704  
FAX (209) 333-6816

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9, 2001

Lorraine Kildall  
1426 W. Lockeford Street  
Lodi, CA 95242

RE: Claim against the City of Lodi  
Claimant: Lorraine Kildall  
Date of Loss: June 14, 2000  
Our Claim Number: 482

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on November 20, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Verduyssen, ICA

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9th, 2001

Charles D. Lemmon  
236 Madera Drive  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Claimant: Charles D. Lemmon  
Date of Loss: November 7, 2000  
Our Claim Number: 492

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on November 20, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9th, 2001

Kathy S. Roupe  
4067 Hardwick Street #139  
Lakewood, CA 90712

RE: Claim against the City of Lodi  
Claimant: Kathy S. Roupe  
Date of Loss: September 25, 2000  
Our Claim Number: 474

Dear Claimant:

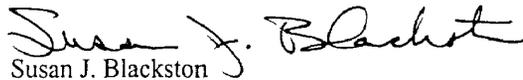
Notice is hereby given that the claim you presented to the City of Lodi on November 3, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9th, 2001

Sybil Alvarez  
711 S. Washington Street #3  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Claimant: Sybil Alvarez  
Date of Loss: November 8, 2000  
Our Claim Number: 493

Dear Claimant:

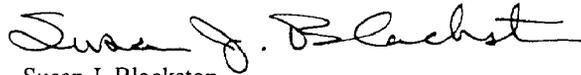
Notice is hereby given that the claim you presented to the City of Lodi on November 20, 2000, is rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9th, 2001

Ahmed Shoaib  
812 S. Garfield Street  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Claimant: Ahmed Shoaib  
Date of Loss: November 3, 2000  
Our Claim Number: 480

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on November 3, 2000, is rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9th, 2001

Mayall, Hurley, Knutsen, Smith & Green  
Attn: Mark Adams  
2453 Grand Canal Blvd.  
Stockton, CA 95207

RE: Claim against the City of Lodi  
Claimant: Sandra J. McGinn  
Date of Loss: April 27, 2000  
Our Claim Number: 446

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on September 12, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA

CITY COUNCIL

ALAN S. NAKANISHI, Mayor  
PHILLIP A. PENNINGO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

February 9th, 2001

Juan Duarte  
706 E. Second Street  
Stockton, CA 95240

RE: Claim against the City of Lodi  
Claimant: Juan Duarte  
Date of Loss: October 12, 2000  
Our Claim Number: 462

Dear Claimant:

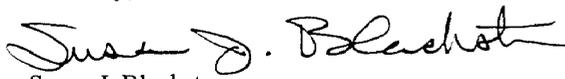
Notice is hereby given that the claim you presented to the City of Lodi on October 13, 2000, is rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
ICA