



# CITY OF LODI

# COUNCIL COMMUNICATION

AGENDA TITLE: Communications ( August 6, 1992 through August 11, 1992

MEETING DATE: August 19, 1992

PREPARED BY: Kirk J. Evans, Administrative Assistant to the City Manager

**RECOMMENDED ACTION:**

AGENDA ITEM

RECOMMENDATION

J 1a, b, c,

That the City Council by motion action deny the following verified claims filed against the City of Lodi and refer them back to the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA) .

- a) David Brien, Date of loss 7/3/92
- b) Miracle Recreation, et al, Date of lose 4/17/91
- c) Shasta Dam Area public Utility District. Date of loss. 1/24/92

**BACKGROUND INFORMATION:**

Following review of these verified claims filed against the City of Lodi, the City Attorney and the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA) recommend that the City Council deny the subject claims and refer them back to ICA.

Additional information regarding these claims are contained in a Confidential envelope addressed to each Council Member.

FUNDING: None required.

Kirk J. Evans  
Administrative Assistant to the City Manager

KJE:tp

COUNCOMB/TXTA.TLP/GL

APPROVED: \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



recycled paper

CITY COUNCIL

JAMES W. PINKERTON, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
W I D M. HINCHMAN  
W A \_\_\_\_\_  
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 3345634  
FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

Notice of Claim Rejection

August 20, 1992

Rudy Nolen, Attorney at Law  
Schuering Zimmerman  
Scully & Nolen  
7919 Folsom Blvd., Suite 100  
Sacramento, CA 95826

Re: Miracle Recreation Equipement Company and Dale Green  
vs. city Of Lodi

Dear Mr. Nolen:

Notice is hereby given that the claim which you presented to the City on July 30, 1992, is rejected as of the date of this letter.

WARNING

Subject to certain exceptions, 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 this claim. See Government Code Section 945.6. 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 Sections 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,

  
Alice M. Reimche  
City Clerk

AMR/tp

cc: Insurance Consulting Associates

CITY COUNCIL

JAMES W. PINKERTON, Mayor

PHILLIP A. PENNINO

Mayor Pro Tempore

DAVID M. HINCHMAN

JACK A. SIEGLOCK

JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 334-5634

FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

BOB McNATT  
City Attorney

## Notice of Claim Rejection

August 20, 1992

David L. Brien  


Re: David Brien vs. City of Lodi

Dear Mr. Brim:

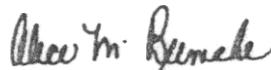
Notice is hereby given that the claim which you presented to the City on July 8, 1992, is rejected as of the date of this letter.

### WARNING

Subject to certain exceptions, 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 this claim. See Government Code Section 945.6. 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 Sections 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,



Alice M. Reimche  
City Clerk

AMR/tp

cc: Insurance Consulting Associates

REJECT/TXTA.TLP/GL

CITY COUNCIL

JAMES W. PINKERTON, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
W I D M. HINCHMAN  
JACK A. SIEGLOCK  
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
FAX (209) 333-6795

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

Notice of Claim Rejection

August 20, 1992

John W. Gould  
Michael G. Holmes  
Lane Powell Spears Lubersky  
520 S.W. Yamhill Street, Suite 800  
Portland, OR 97204

Re: Shaster Dam Area Public Utility District vs. City of Lodi

Dear Mr. Gould and Mr. Holmes:

Notice is hereby given that the claim which you presented to the City on July 23, 1992, is rejected as of the date of this letter.

WARNING

Subject to certain exceptions, 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 this claim. See Government Code Section 945.6. 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 Sections 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,



Alice M. Reinche  
City Clerk

AMR/tp

cc: Transmission Agency of Northern California  
cc: Dennis W. DeCuir, Esquire