Yucaipa Valley Water District

Workshop Memorandum 12-078

Date: **April 10, 2012**

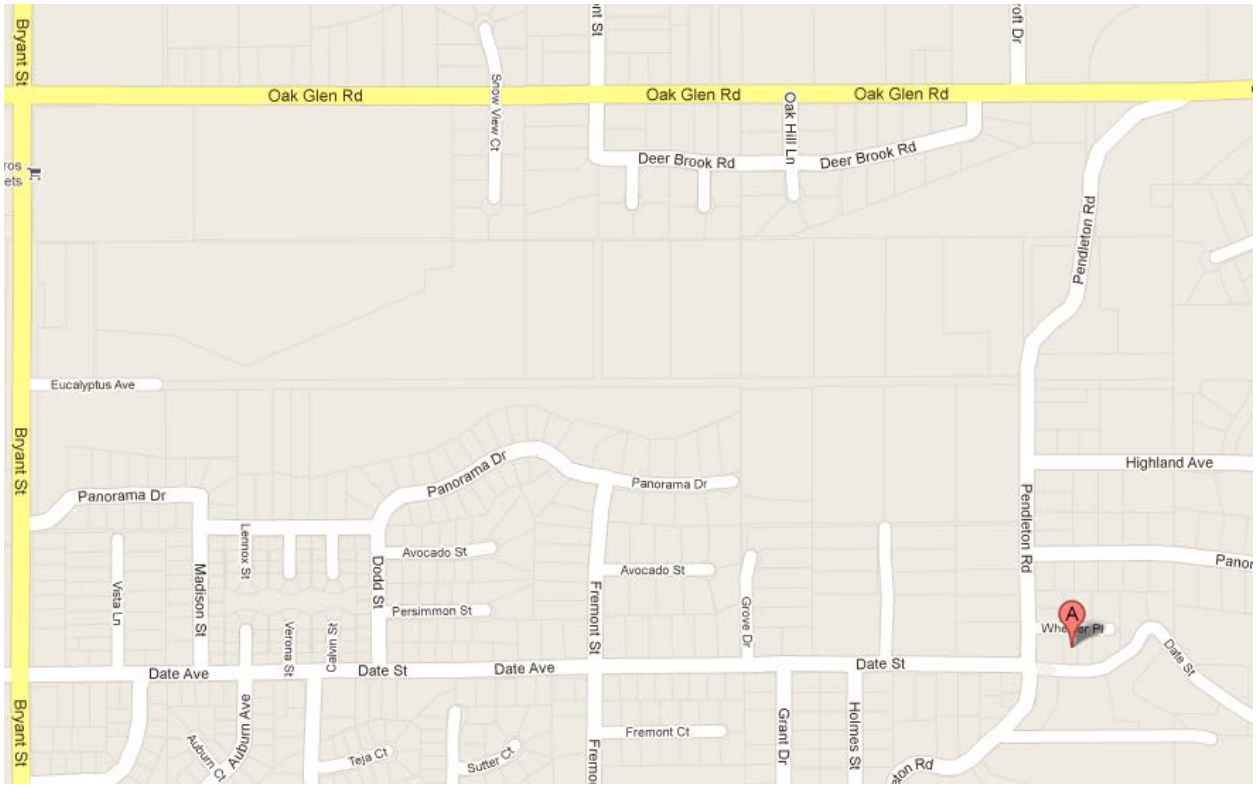
Subject: **Denial of Claim Related to Installation of Water Pressure Regulator at 36027 Wheeler Place, Yucaipa**

On February 27, 2012, the Yucaipa Valley Water District received a claim from Esperanza and Reay Garayt in the amount of $87.67 related to the cost of a water regulator at their residence located at 36027 Wheeler Place, Yucaipa. The claim states that eight to nine months earlier the District had moved the water service from a backyard location to the front of the property and the plumber the District contracted with had made a "lot of mistakes" resulting in (water) noise and leaks, which the claimant had to correct by replacing the pressure regulator at the house.

The water service to the property located at 36027 Wheeler Place has more than 80 psi of pressure and therefore requires a pressure regulator as required by the Plumbing Code. The service was changed from the backyard of the residence to the front of the property, at District expense, to bring the service into conformance with District standards. The on-site work was contracted by the District to a plumbing contractor and the work was completed in June 2008. No work was done on the existing pressure regulator at that time, nor was it replaced by the District. No complaints from the claimant have been noted on the customer's account.

Based on the facts related to this issue, the District staff concludes that the claimants' original water pressure regulator likely failed and the claimant was advised to replace it. Maintenance of water pressure regulators are the responsibility of the property owner pursuant to Article 5.10 of Ordinance No. 48-1998. There is no evidence that the District's relocation of the water service resulted in the failure of the pressure regulator. Therefore, District staff recommends denial of the claim.

Location of subject property:



Acct # 12-04220-04 (909) 797-4012 after 2pm

Yucaipa Valley Water District

12770 Second Street • P.O. Box 458 • Yucaipa, CA 92399 • (714) 797-5117

RECEIVED FEB 27 2012 YUCAIPA VALLEY WATER DISTRICT

CLAIM FOR DAMAGES
TO PERSON OR PROPERTY

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages relating to any other cause of action must be filed not later than 1 year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim before filing.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.
7. Claim must be filed with Board Secretary.

Name of Claimant
Esperanza S. Garayt and Reay Garayt

Home Address of Claimant — City and State
36027 Wheeler PL. Yucaipa, CA. (909) 797-4012

Home Telephone Number — Business Telephone Number
36027 Wheeler PL. ; Yucaipa, CA. 92399

Business Address of Claimant — City and State
The Same above

Give address to which you desire notices or communications to be sent regarding this claim:

When did DAMAGE or INJURY occur?
Since you (Water District) changed the water line from our back yard had been happen a lot of problems.

Date:
Time:

How did DAMAGE or INJURY occur? Give full particulars.
You put to the front the meter and ~~ha~~ your plumer made a lot of mistakes. There are a lot of noise day and night time, wet all the time when supposely they worked on it and

Where did DAMAGE or INJURY occur? Describe fully and locate on diagram on reverse side of this sheet. Where appropriate, give street names and addresses and measurements from landmarks:
came the plumer and he didn't ellen open again the trench to see if it was a liking, approximatly 3 months ago the problem was really bad and your experts told us to change the radiator.

or the pipes were going to explote.

What particular ACT or OMISSION do you claim caused the injury or damage? Give names of District employees causing the injury or damage, if known:

People who came and work on it last 9 or 8 months ago.

What DAMAGE or INJURIES do you claim resulted? Give full extent of injuries or damages claimed:

Could be really bad, could explote the water pipes inside the house.

What AMOUNT do you claim on account of each item of injury or damage as of the date of presentation of this claim, giving basis of computation:

the amount of the total cost of the water regulator $84.23 + 3.44 = $87.67

Give ESIMATED AMOUNT as far as ~~known~~, that you claim on account of each item of prospective injury or damage, giving basis of computation:

"* My husband work on it; waisting his time on the afternoo

Name and address of Witnesses, Doctors and Hospitals

Saturday 02-25-12. How much do you pay to the plumer? So to my husband has to be the same."

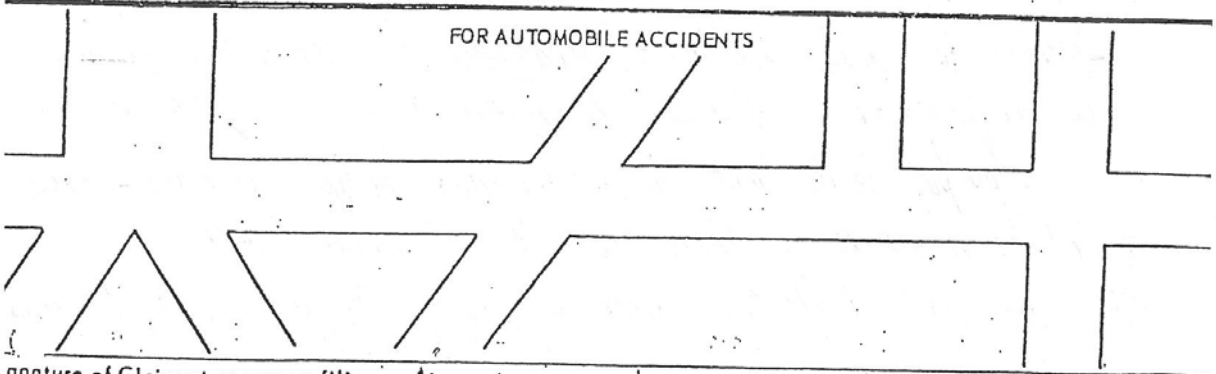
READ CAREFULLY

For all accident claims place on following diagram names of streets, including North, East, South, and West: indicate place of accident by "X" and by showing house numbers of distances to street corners.

If District Vehicle was involved, designate by letter "A" location of District vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw District vehicle: location of District vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X".

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.

FOR AUTOMOBILE ACCIDENTS



gnature of Claimant or person filing on his half giving relationship to Claimant:	Typed Name	Date

NOTE: Presentation of a false claim is a felony (Cal. Pen. Code Sec. 72)

CLAIMS MUST BE FILED WITH BOARD SECRETARY

THANK YOU FOR SHOPPING
BEST HOME CENTER
(909) 797-5153

COME CHECK OUT OUR EVERYDAY LOW PRICES!!
2/25/12 11:32AM JTO 556 SALE

6126320 1 EA 3.19 EA
3/4X3 GALV PIPE NIPPLE 3.19

SUB-TOTAL: 3.19 TAX: .25
TOTAL: 3.44
CASH TEND: 5.45 CHANGE: 2.01

==>> JRNL#F99507 <<==
CUST # *769
CLUB CRD# 3205002421

RETURN POLICY: ALL RETURNS MUST BE COMPLETED WITHIN 30 DAYS. ORIGINAL RECEIPT IS NECESSARY FOR ALL RETURNS. PURCHASES MADE BY CHECK MUST WAIT 10 BUSINESS DAYS FOR ANY RETURN. NO RETURNS ON CUT MERCHANDISE, MIXED PAINT, CUT LUMBER, CIRCUIT BREAKERS, AND POWER TOOLS.
COUPONS: PER BEST LUMBER POLICY, ALL COUPONS ARE FORFEITED AT TIME OF PURCHASE, AND ARE NON-REFUNDABLE.

THE HOME DEPOT
More saving. More doing.®

1151 W LUGONIA AVE
REDLANDS, CA 92374 (909)748-0505

1013 00058 31011 02/25/12 07:18 AM
CASHIER SELF CHECK OUT - SCOT58

612052076461 WATER PRV <A> 76.00
3/4" WATER PRESS REG DBL UNION LL
038753312293 THREAD SEAL <A> 2.17
10Z THRD SEALANT W/PTFE GREATWHITE

SUBTOTAL	78.17
SALES TAX	6.06
TOTAL	$84.23
CASH	20.23
CASH	20.00
CASH	20.00
CASH	20.00
CASH	5.00
CHANGE DUE	1.00

1013 58 31011 02/25/2012 1074

RETURN POLICY DEFINITIONS

	POLICY ID	DAYS	POLICY EXPIRES ON
A	1	90	05/25/2012

THE HOME DEPOT RESERVES THE RIGHT TO LIMIT / DENY RETURNS. PLEASE SEE THE RETURN POLICY SIGN IN STORES FOR DETAILS.

BUY ONLINE PICK-UP IN STORE
AVAILABLE NOW ON HOMEDEPOT.COM.
CONVENIENT, EASY AND MOST ORDERS
READY IN LESS THAN 2 HOURS!
****

ENTER FOR A CHANCE
TO WIN A $5,000
HOME DEPOT GIFT
CARD!

Share Your Opinion With Us! Complete the brief survey about your store visit and enter for a chance to win at:

www.homedepot.com/opinion

COMPARTA SU OPINION EN
UNA BREVE
ENCUESTA PARA LA OPORT
UNIDAD DE GANAR.

User ID:
63324 62369

Password:
12125 62311

Entries must be entered by 03/26/2012.
Entrants must be 18 or older to enter.
See complete rules on website. No purchase necessary.