

RESOLUTION NO. 2010-2

RESOLUTION OF THE INDIAN VALLEY COMMUNITY SERVICES DISTRICT  
REJECTION OF JACKIE FOGELMAN CLAIM

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WHEREAS, the Indian Valley Community Services District (IVCSD) is a community services district duly formed under and operating pursuant to all of the laws and provisions of the community services district Law; and

WHEREAS, a claim for monetary damages (claim) has been presented by Jackie Fogelman dated April 18, 2010, against IVCSD for injuries associated with stepping in a valve box; and

WHEREAS, California Government Code Section 912.4(a) provides that when a claim is presented to a local public entity, that local public entity has forty-five days to act upon said claim; and

WHEREAS, California Government Code Section 912.6(a)(1) provides that when a claim is made against a local public entity, a Board may reject the claim, if it finds the claim is not a proper charge against the local public entity; and California Government Code Section 912.6(a)(4) provides that when a claim is made against a local public entity, the board may reject the claim if the legal liability of the public entity is disputed; and

WHEREAS, that the Governing Board of the Indian Valley Community Services District has considered the claim filed by Jackie Fogelman.

NOW, THEREFORE, BE IT RESOLVED:

1. The Governing Body of the Indian Valley Community Services District has concluded that the Claim by rejected in its entirety.
  2. The District hereby authorizes General Manager, Leanna Moore, to give notice to Jackie Fogelman of the Governing Board's decision to reject, in its entirety, this claim.
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person concerning the District's/City's taxes, assessments, fees and/or charges, and that District/City will not refer such persons to County officers and employees for response.

6. The District/City agrees to pay such reasonable and ordinary charges as the County may prescribe to recoup its costs in placing on the tax rolls and collecting the taxes, assessments, fees and charges, as provided by Government Code sections 29304 and 51800.

PASSED AND ADOPTED by District/City this 14<sup>th</sup> day of July, 20 10, by the following vote on roll call:

AYES Boardmembers/Councilmembers: 4/  
NOES Boardmembers/Councilmembers: 0  
ABSENT Boardmembers/Councilmembers: 1

Michael Gost  
Chairperson/Mayor

ATTEST:

Anna Lawson  
District/City Clerk