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Board of Directors

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January 24, 2022

DENIAL OF CLAIM: INCIDENT JULY 3, 2021

Recommendation

The Triunfo Water & Sanitation District (District) received a claim on December 10, 2021, related to an incident on July 3, 2021, at 180 Promenade Way, Thousand Oaks, CA wherein Claimant stated that he slipped on discharge from the District's manhole. Staff performed an extensive investigation of the site and determined that the manhole in question is not part of the District's wastewater conveyance system but rather a cover for a grease interceptor at 180 Promenade Way. Staff has made these findings available to the District's Insurance Carrier. Based on staff's investigation and subsequent determination, staff recommends the Board review the findings and deny the claim.

Please contact me at 805-658-4621 or email marknorris@trunfowd.com if you have any questions or need additional information.

REVIEWED AND APPROVED: _____


Mark Norris - General Manager

Attachment: Claim Form – December 10, 2021

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CLAIM FORM
(Government Code § 910)

To: Triunfo Water and Sanitation District

(a) Name and post office address of the claimant:

Brendan Sevack, [REDACTED]

(b) Post office address to which the person presenting the claim desires notices to be sent:

EISENBERG LAW GROUP PC, 23801 Calabasas Road, Suite 2030, Calabasas, CA 91302

(c) The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted:

On July 3, 2021, Claimant Brendan Sevack was lawfully on the premises located at 180 Promenade Way, Thousand Oaks, CA 91362 when a sewer overflowed and was overflowing, causing sewage/liquid to be in his path of pedestrian travel. As a result of this overflowing sewer, Claimant Brendan Sevack slipped and fell and sustained significant injuries. See a photograph of the dangerous condition of public property on which Claimant slipped and fell attached as Exhibit "A".

(d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim:

Injuries including but not limited to concussion, head trauma, staples in his head, dizziness, headache, injuries to neck and back. As such, Claimant has sought medical treatment and has incurred medical expenses. Claimant has suffered significant pain and suffering as well.

(e) The name or names of the public employee or employees causing the injury, damage or loss, if known:

Unknown at this time. Investigation is ongoing.

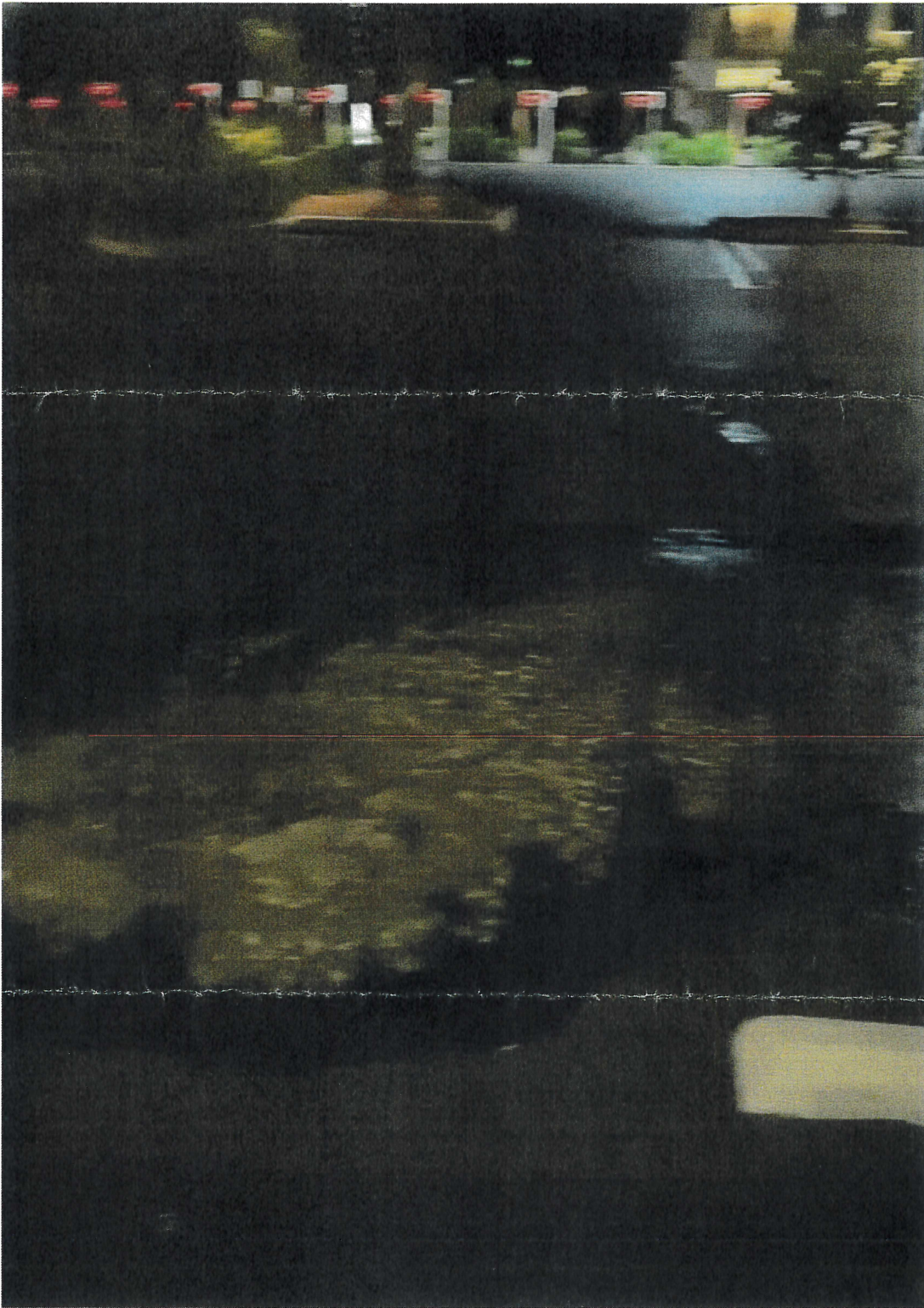
(f) The amount claimed as of the date of presentation of the claim, including the basis of the computation of the amount, if the claim is under \$10,000.00 when claim presented, otherwise no amount to be specified, but indicate whether it is a limited civil case:

Over \$10,000.00. This is a case of unlimited jurisdiction.

Jason Eisenberg

JASON G. EISENBERG
GARY C. EISENBERG
Attorneys for Claimant,
BRENDAN SEVACK

EXHIBIT "A"



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