

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: 03/03/08

Reviewed by: *BP*

Subject: Claim #AL569; Holmes v. City

Report By: Jacqueline L. Bucholz, City Clerk

STAFF RECOMMENDATION

Reject the claim and authorize the City Clerk to send out the appropriate rejection letter to Jim Holmes.

BACKGROUND

The claim was received February 12, 2008, alleging that roots of a City tree caused damage to homeowner's water pipes. The claim is in the amount of \$1,294 to relocate the water meter and reroute the appropriate portion of the water line.

The claim was referred to City staff for review and recommendation: After reviewing the claim, it is recommended that the claim be denied, as it is staff's belief that the damage occurred while the contractor was replacing the sidewalk.

FINANCIAL IMPACT

Possibility of a lawsuit.