

De LAY & LAREDO

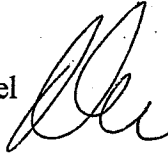
Attorneys at Law
606 Forest Avenue
Pacific Grove, California 93950

Telephone (831) 646-1502
Facsimile (831) 646-0377

Paul R. De Lay
David C. Laredo
Heidi A. Quinn
Fran Farina, *of Counsel*

August 31, 2007

TO: David Berger, General Manager
FROM: David C. Laredo, District Counsel
RE: Proposed Claims Filing Process



In my review of current claims filing and review processes recommended by the League of Cities for public agencies, I note that revision of the District Rules and Regulations would be appropriate. The District does not now have a comprehensive claim process established by ordinance. In the absence of such a measure, general provisions of law apply.

Several advantages accrue from a carefully crafted claims process, though, including setting forth specific claims criteria, limitation of class or representative claims, and adoption of a shorter statute of limitations.

I have drafted and forwarded for your review a suggested version of such an ordinance. This process would require claims to be verified, and set forth clear requirements to apply to claims filed on behalf of class of claimants, or on behalf of persons other than the claimant. The proposed ordinance would also clarify means by which money may be paid to the District under protest, and the manner in which claims for refund of those funds may be made.

I recommend that this matter be considered for enactment by the District.

David C. Laredo
General Counsel