

**Mayor**  
Lois Wynne  
**Mayor Pro Tem**  
Jeff Chedester  
**Council Members**  
Ray Madrigal  
Eddie Neal  
William Siegel



**Office of the  
City Clerk**

119 Fox Street  
Lemoore, CA 93245  
Phone (559) 924-6700  
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## Staff Report

ITEM NO. 2-4

**To:** Lemoore City Council  
**From:** Janie Venegas, City Clerk  
**Date:** September 8, 2015 **Meeting Date:** September 15, 2015  
**Subject:** Denial of Claim for Apollonia Cruz-Berlemann

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**Proposed Motion:**

Approve the Denial of Claim for Apollonia Cruz-Berlemann.

**Subject/Discussion:**

The City of Lemoore received an amended claim from Apollonia Cruz-Berlemann on December 30, 2014 for an incident that occurred on October 28, 2014. Ms. Cruz-Berlemann claims personal injuries during a vehicle accident with a sanitation truck.

The City did not take action to deny the claim upon receipt and the claim is therefore denied by operation of law, which allows the claimant to bring a civil action within two years from the date of the claim. The two-year civil statute will expire on October 28, 2016. It is now recommended that the City Council take formal action to deny the claim, thereby starting the six-month statute of limitation deadline.

**Financial Consideration(s):**

Unknown at this time.

**Alternatives or Pros/Cons:**

Unknown.

**Commission/Board Recommendation:**

Not Applicable

**Staff Recommendation:**

City Council, by motion, approve the Denial of Claim for Apollonia Cruz-Berlemann.

**Attachments:**

- Resolution
- Ordinance
- Map
- Other Claim for Cruz-Berlemann

**Review:**

- Finance 9/8/15
- City Attorney 9/10/15
- City Manager 9/10/15
- City Clerk 9/11/15

**Date:**

CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

CLAIM FORM

CITY CLERK'S OFFICE

(Please Type Or Print)

DEC 30 2014

CLAIM AGAINST City of Lemoore  
(Name of Entity)

RECEIVED

Claimant's name: Apollonia CruzBerlemann

SS#: \_\_\_\_\_ DOB: \_\_\_\_\_ Gender: Male \_\_\_\_\_ Female

Claimant's address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address where notices about claim are to be sent, if different from above: \_\_\_\_\_

Date of incident/accident: October 28, 2014

Date injuries, damages, or losses were discovered: 10/28/14

Location of incident/accident: N. 19th Ave Lemoore Ca.

What did entity or employee do to cause this loss, damage, or injury? hit / sideswipe my truck. left side from driver door to the rear tail gate.  
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? City of Lemoore Roy Ortiz Davila

What specific injuries, damages, or losses did claimant receive? Spine neck, left side of body injured, damaged vehicle.  
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)]

unlimited civil case Kings County Superior Court

How was this amount calculated (please itemize)? Damaged vehicle. Doctor bills. missing school. pain and suffering. Auto insurance increasing.  
(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 12/30/14 Signature: \_\_\_\_\_

If signed by representative:

Representative's Name \_\_\_\_\_ Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Relationship to Claimant \_\_\_\_\_

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**Parks & Recreation  
Department**

721 W. Cinnamon Drive  
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Phone (559) 924-6767  
Fax (559) 924-6772

## Staff Report

ITEM NO. 2-5

**To:** Lemoore City Council  
**From:** Sheila Taylor, Recreation Coordinator  
**Date:** August 26, 2015 **Meeting Date:** September 15, 2015  
**Subject:** Street Closure for Evening Under the Stars – September 19, 2015

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**Proposed Motion:**

Council approval of the closure of D Street between Fox and Heinlen on September 19, 2015 from 7:00 a.m. to Midnight.

**Subject/Discussion:**

The 18<sup>th</sup> annual “Evening Under the Stars” event will take place Saturday, September 19, 2015. As in prior years, the Recreation Department requests a street closure on D Street, between Fox and Heinlen Streets, from 7:00 a.m. to Midnight for event preparation and the event.

“Evening Under the Stars” features fine foods from West Hill Culinary School, Vineyard Restaurant, Teri’s Front Street Grill, Sushi Table, Lemoore Rotary Club, Fil-Am and Lemoore Lions Club. The event includes wine tasting, a silent auction and live entertainment by the Valley Cats. All proceeds are used for Lemoore Parks & Recreation youth programming and financial need-based scholarships.

**Financial Consideration(s):**

There may be a financial impact to the businesses affected by the road closure as shoppers may decide to shop elsewhere.

**Alternatives or Pros/Cons:**

**Pros:**

- Allows for time to set-up for a community event.

**Cons:**

May have an impact on businesses impacted by the road closure.

**Commission/Board Recommendation:**

Not Applicable.

**Staff Recommendation:**

Staff recommends approval of the street closure for “Evening Under the Stars.”

**Attachments:**

- Resolution
- Ordinance
- Map
- Other Event Flyer

**Review:**

- Finance
- City Attorney
- City Manager
- City Clerk

**Date:**

- 9/7/15
- 9/8/15
- 9/11/15