



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CHARLENE WISEMAN, DEPUTY CITY MANAGER
MEETING DATE: September 17, 2008
SUBJECT: Claim for Damages No. G2008-18 / SKONBERG, Albert T.
CEQA STATUS: This action does not constitute a “project” as defined by CEQA

RECOMMENDATION:
Approve and refer to staff.

DISCUSSION:
The attached claim for damages in the amount of \$116.13 arises from an errant golf ball causing damage to a residential window.

Council Policy 200-2 provides direction for the property owner or resident to make every effort to identify and recover payment for damages from the responsible golfer before the City may assist in the payment for repairs to the damaged residential property. The policy also provides direction that if the property owner or resident is unable to collect from the person responsible, the City may assist in the payment for repairs to the damaged residential property only to the extent that the owner’s or resident’s insurance does not cover payment for damages. In this case, the owner’s insurance does not cover payment for damages.

The claimant does not state what efforts were made to identify and recover payment from the responsible golfer but an inability to make such identification or recovery may be reasonably inferred by the presentation of this claim.

It is recommended that Council approve the claim and refer the matter back to staff.

FISCAL IMPACT:
A total of \$116.13 to be paid to claimant.

- ATTACHMENTS:**
- Claim for Damages No. G2008-18 / Skonberg, Albert T.
 - Copy of Invoice from Denny’s Glass
 - City Attorneys Claim Recommendations
 - Council Policy 200-2

RESPECTFULLY SUBMITTED:

Charlene Wiseman
DEPUTY CITY MANAGER

REVIEWED BY:

James J. Colangelo

Digitally signed: I have reviewed this document

James J. Colangelo
CITY MANAGER



This form is to be used to request City assistance with the repair of property damage caused by errant golf balls from the Municipal Golf Course. Such damage is the responsibility of the golfer, and every effort should be made to identify and recover from the golfer responsible before filing this request. You should also try to recover from your insurance company before filing this request with the City.

Full Name of Claimant:

ALBERT T. SKONBERG

Street Address:

700 BRIGGS AVE., SPC 16

City:

PACIFIC GROVE

State:

CA

ZIP Code:

93950

Mailing Address (if different from above):

SAME

Residence Telephone Number:

649-0101

Work Telephone Number:

Mobile Telephone Number:

List the date, place, and other circumstances of the occurrence which gave rise to the claim asserted:

8/11/08 AT RESIDENCE. FOUND GOLF BALL IN YARD, LOOKED UP, BALL HAD HIT AND BROKE WINDOWS.

I'VE PAID THE BILL FROM DENNY'S, AMOUNT \$166.13 COPY ATTACHED.

Name, Address, and Phone Number of Golfer Involved, If Known:

UNKNOWN

Was anyone injured in this incident?

Yes

No

Is there primary insurance coverage?

Yes

No

BUT \$500.00 DEDUCTIBLE

Signature of Claimant or Authorized Representative:

[Handwritten Signature]

Date:

8-21-08

FOR CITY USE ONLY

Approved:

Golf Course Superintendent

Date

Claim Number:

G2008-18

Amount Paid: _____



Denny's Glass

LICENSE #363199

735 BROADWAY AVE.

SEASIDE, CALIFORNIA 93955

(831) 394-1037

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Al Stenberg
700 Bridge #16
Pacific Home CA 93950

ORDERED BY OR P.O.	HOW SHIP	DATE	PHONE <i>6490101</i>	CREDIT	OUR P.O. NUMBER <i>Al</i>
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1		X							
2	<i>1</i>	<i>297/8</i>	X	<i>46</i>	<i>Insulated glass</i>				
3		X							
4		X			<i>Replacement</i>				
5		X							
6		X							
7		X							
8		X							
9		X							
10		X							
11		X							
12		X							
13		X							
14		X							
15		X							<i>Total \$166 13</i>

LADDER	MAT. LOCATION IN SHOP			MEASURE PROMISED					
PLANK									
PUTTY OR CAULK	SHOP LABOR	NAME	HRS	DATE	GLAZE PROMISED				
TYPE GLAZING	JOB LABOR				WILL CALL PROMISED				

Thank You For Your Business 

CODE MATERIAL RECEIVED IN GOOD ORDER

BY _____

PAST DUE ACCOUNTS ARE SUBJECT TO MONTHLY SERVICE CHARGE



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

City Attorney Memo

TO: Ann O'Rourke
FROM: David C. Laredo, City Attorney
MEETING DATE: August 20, 2008
SUBJECT: **REVIEW OF CLAIM**

RECOMMENDATION:

Claim of Albert T. Skonberg (G2008-18) – Payment of \$166.13.

DISCUSSION:

The referenced claim (Claim of Skonberg) relates to damage alleged to have been caused by a golf ball in connection with play at the Municipal Golf Course. Council Policy 200-2, effective April 21, 1993, provides policy direction for action on this claim. This policy provides that the City “may assist in paying for repairs to residential property structures damaged by errant golf balls from the municipal course” under certain conditions. Key conditions to City payment, among others, are that (1) the owner make every effort to identify and recover payment from the responsible golfer, and (2) payment be limited to the amount not subject to insurance coverage.

Claimant presents evidence that he suffered damage to a residential window in the amount of \$166.13. Council Policy 200-2 provides policy direction on payment for repairs to residential property structures. This claimant does not state what efforts were made to “identify and recover payment from the responsible golfer” but an inability to make such identification or recovery may be reasonably inferred by the presentation of this claim. The last key condition to City payment is that payment be limited to the amount not subject to insurance coverage; Claimant notes that his deductible for glass loss is \$500.00. For these reasons, it is recommended that payment on this claim be made in full.

**CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY**

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
GOLF BALL PROPERTY DAMAGE	200-2	April 21, 1993	1 OF 1

It is the policy of the City of Pacific Grove that those using the Pacific Grove Municipal Golf Course are responsible for any damage or injury which they may cause, both on and off the course. However, as a service to owners and residents of properties in close proximity to the golf course, the city may assist in paying for repairs to residential property structures damaged by errant golf balls from the municipal course, under the following terms and conditions;

1. The property owner or resident shall make every effort to identify and recover payment for damages from the responsible golfer.
2. If the property owner or resident is unable to collect from the person responsible, the city may assist in the payment for repairs to the damaged residential property. The city may so assist only to the extent that the owner's or resident's insurance does not cover payment for damages. Further, if city chooses to so assist, city shall not be obliged to make full payment.
3. This policy is intended to be a public service to those citizens residing in close proximity to the golf course. The city does not assume responsibility or liability for any damage or injury caused by golfers, and the city reserves the right to discontinue this policy at any time.

Amended: April 21, 1993
Resolution No.: 6336

Amended: April 16, 1986
Resolution No.: 5707

Adopted: Minute Motion
Consent Agenda: August 7, 1985