



CENTRAL MARIN SANITATION AGENCY

**AN ORDINANCE OF
THE CENTRAL MARIN SANITATION AGENCY
BOARD OF COMMISSIONERS
PROVIDING CLAIMS PROCEDURES FOR THE PRESERVATION OF CLAIMS
AGAINST THE CENTRAL MARIN SANITATION AGENCY
FOR MONEY OR DAMAGES WHICH
THE CALIFORNIA GOVERNMENT CODE EXCEPTS
FROM ITS CLAIM PROVISIONS**

ORDINANCE No. 2014-2

June 2014

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SECTION 1: PURPOSE

Pursuant to Section 935 of the California Government Code, the procedures described in this ordinance shall govern all claims against the Central Marin Sanitation Agency (hereinafter "CMSA") for money or damages which are excepted by Section 905 of the California Government Code from the provisions of Division 3.6 of the Government Code (Section 810 et seq.) and which are not governed by any other statutes or regulations expressly relating thereto.

SECTION 2: SUITS FOR MONEY OR DAMAGES – CLAIM PREREQUISITES

No suit for money or damages may be brought against CMSA on a cause of action for which this ordinance requires a claim to be presented until a claim therefor has been filed and acted upon in conformity with this ordinance and Sections 945.4, 945.6 and 946 of the California Government Code.

SECTION 3: CLAIMS – CONTENTS

- A. A claim shall conform to the requirements of Sections 910 and 910.2 of the California Government Code or of a claim form provided by CMSA. The contents of a claim on a provided form shall conform to the requirements of Section 910.4 of the California Government Code.
- B. A claimant or someone acting on his or her behalf shall present a signed, written claim or a claim form to CMSA by mailing it or delivering it to the Recording Secretary of the Agency's Board of Commissioners. The presentation of the claim shall conform to the requirements of Section 915.2 of the California Government Code.

SECTION 4: CLAIMS – TIME LIMITATIONS

A claimant or someone acting on his or her behalf shall present a claim relating to a cause of action for death or for injury to personal property or growing crops as provided in Article 1, commencing with Section 910 of the California Government Code not later than six (6) months after the accrual of the cause of action [Government Code Section 911.2(a)]. A claimant or someone acting on his or her behalf shall present a claim relating to any other cause of action as provided in Article 2, commencing with Section 915 of the California Government Code, not later than one (1) year after the accrual of the cause of action [see Government Code Section 911.2(a)].

SECTION 5: CLAIMS – LATE FILING

Pursuant to Section 935 of the California Government Code, Sections 911.3 through 912.2 inclusive, regulate the late filing of claims pursuant to this ordinance.

SECTION 6: STATUTORY PROCEDURES FOR CONSIDERATION AND ACTION ADOPTED

The procedure for consideration and action upon all claims filed pursuant to this ordinance shall be the same as the procedure required by California Government Code Sections 910.6 through 915.4, except Section 911.2, which provisions CMSA hereby adopts as the requirements of this ordinance.

SECTION 7: COMPROMISE OR DELEGATION OF AUTHORITY TO COMPROMISE

The CMSA Board of Commissioners, subject to the requirements of Government Code Section 935.4, may compromise or may delegate authority to its attorney or employee to compromise any pending action.

SECTION 8: EFFECTIVE DATE OF ORDINANCE

This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage, and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Commissioners voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in Marin County.

PASSED AND ADOPTED at a regular meeting of the Board of Commissioners of the Central Marin Sanitation Agency in San Rafael, California, on this 10th day of June, 2014, by the following vote:

AYES: John Dupar, Kathy Hartzell, Al Boro, Maribeth Bushey, Frank Egger, Patrick Guasco

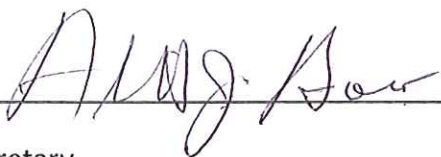
NOES: None

ABSENT: None



Chair, Board of Commissioners

ATTEST:



Secretary