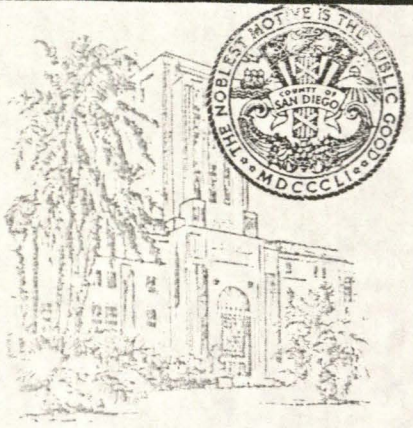

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LEON L. WILLIAMS
SUPERVISOR, FOURTH DISTRICT

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SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

ABANDONED VEHICLE ABATEMENT AUTHORITY

May 26, 1992

Mr. John and Ms. Kim Cooney
8662 Eileen Street
Spring Valley, CA 91977

Dear Mr. and Mrs. Cooney:

I received your letter regarding the frightening and dangerous situation you and your neighbors are facing. I first became aware of the problem in mid-March through media coverage on Mrs. Pullen.

At that time I instructed my staff to see what assistance we could offer. My staff contacted engineers in our Department of Public Works and our Department of Planning and Land Use. None of them are experienced in dealing with the phenomenon of mudslides and were unable to offer technical advice. We contacted the Probation Department to see if residents of our Labor Camps could be used to remove the mud that was most immediately threatening Ms. Pullen's home. We were advised that this would only speed up the mud slide. Legal counsel advised us that the County would be exposed to potential liability and litigation if any work was performed by County forces on the privately owned site.

We then contacted private consultants who are specialists in this type of disaster and who are most knowledgeable about the kind of work that needs to be done to make the hillside safe again. We asked if they would be willing to provide assistance in, at least, determining what it would take to halt the immediate danger to the houses being affected by the mudslide. None of them were willing to make assessments because they too would be exposing themselves to liability and possible litigation.

In your letter to Congressman Hunter you state that you believe that the slide may have been caused, in part, by poor workmanship by the contractors who built your homes. You asked if the County should have been responsible for ensuring proper drainage

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along the hills. The County does not have this responsiblity; it is the responsibility of the project's Engineer of Work. Staff research indicates that the final map creating your lots was recorded in 1958 and they believe that shortly thereafter the street improvements (including drainage provisions) were completed, with subsequent construction of the homes on those lots believed to have taken place between 1959 and 1961. The County did not begin requiring a certification for the work performed from the Engineer of Work until 1966 when the County Grading Ordinance was adopted. In the absence of inspection or construction records dating to 1958, we do not have a report of the grading that was done on those lots, nor a record of the Engineer of Work for this construction.

Our staff was able to ascertain the name of the property owner who submitted the 1958 final map. The name is D.R. Grable, President of Grable Land Corporation. If that firm is still in existence, perhaps they can provide you with some documentation of the street improvements which were provided for this project, or information on the developer or construction companies.

If we can acquire any other information, I will make sure it is provided to you as quickly as possible. I understand that the situation you are facing is both frightening and financially overwhelming. We are in a position in which our legal system binds our hands and prevents us from offering what little assistance our staff may be capable of offering.

Sincerely,

Leon L. Williams
Supervisor, Fourth District

LLW:cmc

cc: Congressman Duncan Hunter
Granville M. Bowman
-Director, Department of Public Works
Lauren M. Wasserman
-Director, Department of Planning and Land Use
Lloyd Harmon
-County Counsel