RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No x __)

Pass and adopt this Resolution approving Claim No. C93-1 attached hereto in the amount of $227.00 for reimbursement of impound fees. Further, authorize Auditor to draw warrant, upon approval by the Board, in the amount of $227.00 made payable to James or Kelly Capehart. Warrant should be forwarded to County Counsel's office for processing to claimant.

Claimant was charged for seven dog impounds and should have been charged for only two. It appears that this is a reasonable claim and the County does have some liability in this matter.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board usually follows Counsel's recommendation in matters of this nature.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve Claim.
Claim would automatically be denied if no action taken.

COST: ( ) Not Applicable
A. Budgeted current FY $________
B. Total anticipated costs $________
C. Required add'l funding $________
D. Internal Transfers $________

SOURCE: ( ) 4/5ths Vote Required
A. Unanticipated revenues $________
B. Reserve for contingencies $________
D. Source Description:

Balance in Reserve for Contingencies, if approved: $________

--- SPECIAL INSTRUCTIONS: 
List the attachments and number the pages consecutively:
Claim No. C93-1

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CLERK'S USE ONLY:
Res. No.: [ ] Ord. No.:
Vote: Ayes: 5 Noes: ______
Absent: ______ Abstained: ______
Approved ( ) Denied
( ) Minute Order Attached
( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

DATE: ___________________________

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.
By: ____________________________

--- ADMINISTRATIVE OFFICER'S RECOMMENDATION: 
This item on agenda as:
( ) Recommended
( ) Not Recommended
( ) For Policy Determination
( ) Submitted with Comment
( ) Returned for Further Action

Comment: __________________________

A.O. Initials: __________________________

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AUDITOR'S USE ONLY: Liability Set-Aside #014-100-2-501
County of Mariposa Claim Form

Claim of ________JAMES CARDEN________  CLAIM FOR PERSONAL INJURIES AND/OR PROPERTY DAMAGES (SECTION 910 OF THE GOVERNMENT CODE)

v.

COUNTY OF MARIPOSA

To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: JAMES CARDEN

Whose address is: 4790 Hirsch Rd.

City and State: MARIPOSA, CA  Zip: 95338
claims damages from the COUNTY OF MARIPOSA in the amount, computed as of the date of presentation of this claim, of $ 227.00

This claim is based on (check appropriate box or boxes)

☐ Property Damage ☑ Other (list) Enforcing my dog
☐ Personal Injury
☐ Contract

which occurred on JAN 8, 1993, in the vicinity of:

4790 Hirsch Rd, MARIPOSA

(descr. of place where incident occurred)

Describe generally the facts and circumstances that give rise to the claim: (Please use back of this page if more space is needed.)

While we were on vacation, our dog dug out of the backyard and went across the street. One of his puppies followed here and the constable picked them up. When he came up to our house to leave a note he noticed 5 other puppies in the yard and took all of them. We feel we should only be charged with 2 pounds instead of 7 because 5 of the dogs were in our yard.

The name(s) of the public employee(s) causing claimant's injuries or damages under the above described circumstances (is) (are):

Bill Hippsman - Constable
The injuries sustained by claimant, as far as known, as of the date of presentation of this claim consist of: (describe generally claimant's injuries or damages:)

Damages in the amount of $2,271.00.

The amount claimed, as of the date of presentation of this claim is computed as follows:

Damages incurred to date
- Expenses for medical and hospital care $_______
- Loss of earnings $_______
- Specific damages (itemize) $_______
  $_______
- Other damages (itemize) $_______
  $_______

Total damages incurred to date: $_______

Estimated future damages as far as known from this incident:
- Total estimated prospective damages: $_______

TOTAL AMOUNT CLAIMED AS OF DATE OF PRESENTATION OF THIS CLAIM: $2,271.00

All notices or other communications with regard to this claim should be sent to claimant at: 4790 Hirsch Rd.

(address to which notices are to be sent)

Dated: 11/29/93  Signed: [Signature]
(claimant/agent for claimant)

GOVERNMENT CODE §911.2. Time of or presentation of claims
A claim relating to a cause of action for death or for injury to person or to personal property or growing crops shall be presented as provided in Article 2 (commencing with Section 915) of this chapter not later than the 100th day after the accrual of the cause of action. A claim relating to any other cause of action shall be presented as provided in Article 2 (commencing with Section 915) of this chapter not later than one year after the accrual of the cause of action.