RECOMMENDED ACTION AND JUSTIFICATION:  (Policy Item: Yes  No x )
Pass and adopt this Resolution approving Claim No. C92-9 in the amount of $315.00 to repair the windshield of claimant’s vehicle. Additionally authorize Auditor to draw warrant, upon approval of this claim by the Board, in the amount of $315.00 made payable to Charles L. Jones. Warrant should be forwarded to County Counsel’s office for processing to claimant. See attached letter of justification.

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

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Claim would automatically be denied if no action was taken.

COST: ( ) Not Applicable
A. Budgeted current FY $________
B. Total anticipated costs $________
C. Required add’l funding $________
D. Source: ____________________________

SOURCE: ( ) 4/5ths Vote Required
A. Internal transfers $________
B. Unanticipated revenues $________
C. Reserve for contingency $________
D. Description: __________________________
Balance in Reserve for Contingencies, if approved: $________

CLERK’S USE ONLY:
Resolution No. 92-185
Ordinance No. __________________________
Vote: Ayes: 4  Noes: 0
Absent: 0  Abstained: 0
Approved ( )  Denied ( )
( ) Minute Order Attached

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: __________________________
Deputy

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Claim No. C92-9
Letter from Counsel

ADMINISTRATIVE OFFICER’S RECOMMENDATION:
This item on agenda as:
X Recommended
___ Not Recommended
___ For Policy Determination
___ Submitted with Comment
___ Returned for Further Action

Comment: __________________________

A.O. Initials: __________________________

Action Form Revised 12/89
County of Mariposa Claim Form

Claim of Charles L. Jones (Claimant)

v.

COUNTY OF MARIPOSA

To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: Charles L. Jones
Who's address is: 9835 Ernst Rd
City and State: Coulterville, CA Zip: 95311
claims damages from the COUNTY OF MARIPOSA in the amount, computed as
of the date of presentation of this claim, of $315.00

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

☑ Property Damage ☐ Other (list)
☐ Personal Injury ☐ Contract

which occurred on 3-12-92, 1992, in the vicinity of:

Merced Falls Rd

(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.)

Going home the evening of 3-12-92 your road department had made some repair pack work on Merced Falls Road. A large truck coming from the opposite direction through the small oil covered rocks at my auto-cracking my windshield

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

Road Department
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: ) Cracked Windshield

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 $ W/A
Loss of earnings $ W/A
Specific damages (itemize)
Windshield $ 315.00
Other damages (itemize)

$ W/A

Total damages incurred to date: $ 315.00

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: $ 315.00

All notices or other communications with regard to this claim should be sent to claimant at: Charles L. Jones
(address to which notices are to be sent)

Dated: 3-19-92 Signed: Charles Jones

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.
TO: Board of Supervisors  
FROM: Jeffrey G. Green, County Counsel  
RE: Claim No.'s C92-8 and C92-9  

Dear Board Members:

The above two claims were received on March 20, 1992 for incidents which occurred on March 12, 1992 on Merced Falls Road. I have been informed that a temporary cold patch was placed on sections of this road which is heavily used as it leads to the Don Pedro Golf Course. This is a unique situation wherein with the heavy rains and heavy truck traffic on the road, permanent patching was necessary to repair the potholes caused by the rains and traffic. Prior to the additional patchwork being complete, however, the two incidents occurred which resulted in claims being filed.

In view of the above, my recommendation is for the Board to approve Claim No.'s C92-8 and C92-9.

Very truly yours,

Jeffrey G. Green  
County Counsel

sa