

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

DATE: April 28, 1992  
AGENDA ITEM NO. 0A6

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes \_\_\_ No x)

Pass and adopt this Resolution approving Claim No. C92-12 in the amount of \$122.95 for reimbursement of the cost of replacing a tire and mount and balance of the tire which was damaged as a result of large rocks left on a County road after grading of the road. Further authorize Auditor to draw warrant, upon approval by the Board, in the amount of \$122.95 made payable to Sarah Williams. Warrant should be forwarded to County Counsel's office for processing to claimant. Based upon discussions with personnel of the Road Division of the Public Works Department, 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:

Claimant would not be reimbursed for cost of repairs.  
Claim would automatically be denied if no action is taken.

COST: ( ) Not Applicable  
A. Budgeted current FY \$ \_\_\_\_\_  
B. Total anticipated costs \$ \_\_\_\_\_  
C. Required add'l funding \$ \_\_\_\_\_  
D. Source: \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:  
Claim No. C92-1 with attachments  
(photos and invoices)

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. 92-216  
Ordinance No. \_\_\_\_\_  
Vote: Ayes: Unan. Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
(P) Approved ( ) Denied  
( ) Minute Order Attached

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

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

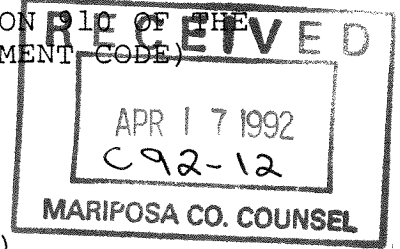
DATE: \_\_\_\_\_  
ATTEST: MARGIE WILLIAMS  
Clerk of the Board of Supervisors  
County of Mariposa, State of Calif.  
By: \_\_\_\_\_  
Deputy

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
A.O. Initials: [Signature]

County of Mariposa Claim Form

Claim of Sarah Williams )  
(Claimant) )  
v. )  
COUNTY OF MARIPOSA )

CLAIM FOR PERSONAL  
INJURIES AND/OR PROPERTY  
DAMAGES  
(SECTION 10 OF THE  
GOVERNMENT CODE)



To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: Sarah Williams

Whose address is: 3492 Indian Peak Road

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 \$ 122.95

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

- Property Damage  Other (list) \_\_\_\_\_
- Personal Injury \_\_\_\_\_
- Contract \_\_\_\_\_

which occurred on April 8, 1992, in the vicinity of:  
(month) (day)

on gravel portion of Indian Peak Road, between addresses 3364 and 3276  
(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.)

On Wednesday evening, 4/8/92, at approximately 8:00 p.m., my husband Kelly and I were driving our new pickup along that portion of Indian Peak Road described above. We ran over some large rocks in the road left by the County's grading activities that day, and our left front tire blew out. The County had just started grading this portion of Indian Peak Road that day. The road crew had used a rock rake in the afternoon, however there

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

Department of Public Works road crew

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:) one Uniroyal tire - 235-75R x 15, M & S (not available locally); costs for mounting and balancing; costs for trip to Merced and return to pick up tire

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	\$ <u>—</u>
Loss of earnings	\$ <u>—</u>
Specific damages (itemize)	
- <u>One tire described above**</u>	\$ <u>94.45</u>
- <u>Mount and balance*</u>	\$ <u>10.00</u>
Other damages (itemize)	
- <u>Mileage - 74 mi @ \$0.25/mi.</u>	\$ <u>18.50</u>
	\$ <u>—</u>

Total damages incurred to date: \$ 122.95

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: \$ 122.95

All notices or other communications with regard to this claim should be sent to claimant at: 3492 Indian Peak Road, Mariposa CA 95338  
(address to which notices are to be sent)

Dated: April 17 1992 Signed: [Signature]  
(claimant/agent for claimant)

\* estimate attached  
\* receipts attached

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.