RECOMMENDED ACTION AND JUSTIFICATION:

RECOMMENDATION: Adopt resolution approving the sum of $280.36 for repair of a vehicle windshield and side mirror damaged by a snow plow in Yosemite West on March 17, 1991, and authorize Auditor to draw a warrant in the amount of $280.36. Warrant should be forwarded to County Counsel's office for processing to claimant.

JUSTIFICATION: Based upon the 3/18/91 memo of Special Districts Manager Walt Hoy attached hereto, it appears that this is a reasonable claim and the County does have some liability in this matter, more specifically identified as Claim No. C91-4.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board usually approves repairs on vehicles damaged by County equipment if there appears to be a reasonable claim.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Claimant would not be reimbursed for cost of repairs.

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COST: ( ) Not Applicable
A. Budgeted current FY $________
B. Total anticipated costs $________
C. Required add'1 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: $________

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SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Claim No. C91-4, memo of Walt Hoy


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CLERK'S USE ONLY:
Resolution No. 91-166
Ordinance No.
Vote: Ayes:____ Noes:____
Absent:____ Abstained:____
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

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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:_________________
County of Mariposa Claim Form

Claim of Edward H. Young  
(Claimant)

v.

COUNTY OF MARIPOSA

To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: Edward H. Young

Whose address is: 7457 Hermitas Ridge Rd., (Lot #3, Yosemite West)

City and State: Yosemite, CA, 95389 Zip: 95389

claims damages from the COUNTY OF MARIPOSA in the amount, computed as of the date of presentation of this claim, of $380.36

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

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

which occurred on March 17th, 1991, in the vicinity of:

(month) (day) Yosemite West

(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.)

May 1989 bronco II was parked at the rear of my north side parking pad facing the road. The bronco windshield was
23 feet (actual legal measurement) from the blacktopped lane
edge of road. 2 1/2 inches of snow fell during the afternoon
of the 17th and early morning of the 18th. The snow fell
slowly. During those hours, slushy ice dropped on
the windshield and right side rear view mirror with resultant
 outcomes

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

I do not know. Larry thought it was Mitch who was
plowing that Sunday. PRK 27 AM Mon. 3-18. I blame nobody.
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:)

No injuries

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)

Broken wrist

$ See Below

Broken arm

$ See Below

Other damages (itemize) $ __________

Total damages incurred to date: $ 280.34

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: $ 280.34

All notices or other communications with regard to this claim should be sent to claimant at: P. O. Box 17, Yosemite Nat. Park, Ca 95389

(address to which notices are to be sent)

Dated: April 9

Signed: Edward W. Young

(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.
On 3-18-91, Mr. Ed Young, living on Hannass Ridge, stopped me and showed me his broken windshield on his Bronco II XLT, lic. 2 RGN 129. That was broken. He said it had been broken on 3-17-91 by a snow blower. The blower may have picked up a piece of ice and blew into his windshield. We were operating the snow blower on this road on March 17, 1991. Mr. Young's vehicle was parked in his driveway facing out and approximately 10 feet off the roadway. It appears that this is a reasonable claim.

Haller Hoy
Special District Manager
Estimate

Job:

1. Shaded windshield installed in 1989 Ford Bronco II.
   $330.54 installed complete including tax

1. Side view mirror replacement
   $15.00 + tax

All agreements must be made in writing. The above quoted prices are good for a period of 30 days.

Signed ____________________________  Signed Alicia Hood
The same day we came out from Vegas to West, I received the above ticket for broken windshield.

To expedite the situation, I had the lower of two estimates (Mountain Compass) install the new windshield as soon as they could, which was Monday, April 8.

I paid for it. Please remit $280.36 to me when approved.

Thank you.

April 9, 1991.
April 9, 1991

Jeffry Green
Maricopa County Sheriff
Re: Walter H. Windham.

Thank you for your letter of March 28, 1991 and the claim forms for me to fill out.

Since this is a deviation in your instructions and you implemented it, I am sending this directly to you for your OK. I did not want to receive any more traffic tickets.

Please forward these forms on to the Board of Supervisors.

Thank you

Edward H. Young
P.O. Box 17
Yosemite National Park, CA
Please send directly to me. 85389
**Send to County.**

**Mountain Comforts**
Road 426 P.O. Box 543
Cakhurst, California 93644
(209) 683-7205

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**2200. All claims and returned goods MUST be accompanied by this Bill.**

Thank You.
**Mountain Comforts**

Road 426  P.O. Box 543
Oakhurst, California 93644

(209) 683-7205

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**Estimate**

**Name:** Ed Young

**Address:**

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**Received By:** 21986

All claims and returned goods MUST be accompanied by this bill.