

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: May 7, 1996
AGENDA ITEM NO.: CA-9

96-200

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

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

Authorize the Chairman to sign an order of the Board to reject Claim No. C96-10, which was filed with this Board on April 12, 1996, for \$350. According to the deputy who was responding to the emergency call referenced in the claim, the incident did not occur. Furthermore, since the County has no liability for an emergency vehicle that responds to an emergency call, the County has no exposure 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:

Claim would automatically be denied if no action was taken.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

Claim No. C96-10.
Notice of Rejection of Claim.

CLERK'S USE ONLY:

Res. No.: 96-200 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
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

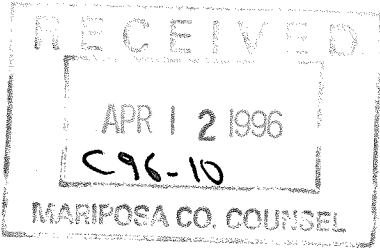
For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: [Signature]



COUNTY OF MARIPOSA CLAIM FORM

CLAIM OF Josephine Tarango)
(Claimant))
v.)
COUNTY OF MARIPOSA)
_____)

**CLAIM FOR PERSONAL INJURY
AND/OR PROPERTY DAMAGE
(Government Code § 910)**

TO THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

YOU ARE HEREBY NOTIFIED that: (PLEASE TYPE OR PRINT)

Claimant: Josephine Tarango
Whose address is: P.O. Box 1578
City and State: Yosemite, CA Zip: 95389

claims damages from the **COUNTY OF MARIPOSA** in the amount, computed as of the date of presentation of this claim, of \$ 350⁰⁰.

This claim is based on: (CHECK APPROPRIATE BOX OR BOXES)

- Property Damage Other (LIST) _____
- Personal Injury _____
- Contract _____

which occurred on 4-27, 1996, in the vicinity of:

Hwy 140 - Past Mariposa near Grizzly Bear market.
(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.)

As I was driving to merced after shortly after having Past Mariposa, I saw a police vehicle then a second one, they both had their lights on. The second vehicle was driving quite fast & ^{took} ~~made~~

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

Unknown

On a sharp curve this caused his
vehicle to pick up gravel & fly across
on to my vehicle, striking it on the
windshield. A total of five cracks on
my windshield due to this incident, is the
reason for my claim.

1 JEFFREY G. GREEN
2 County Counsel
3 P. O. Box 189
4 5100 Bullion St.
5 Mariposa, CA 95338

6 BEFORE THE BOARD OF SUPERVISORS

7 OF

8 MARIPOSA COUNTY, STATE OF CALIFORNIA

9 In the Matter of:)
10 CLAIM FOR DAMAGES PURSUANT)
11 TO GOVERNMENT CODE § 911.6)

CLAIM NO. C96-10

12 Josephine Tarango
13 P.O. Box 1578
14 Yosemite, CA 95389

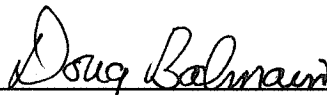
15 having filed with this Board on April 12, 1996 a claim for damages in the amount
16 of \$350.00;

17 **NOW, THEREFORE,** it is ordered by the Board of Supervisors that the claim is
18 hereby **REJECTED.**

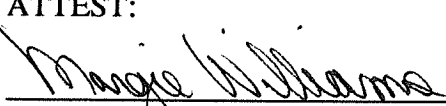
19 The foregoing order was passed by the following vote of the Board:

20 AYES: Reilly, Balmain, Stewart, Parker, and Taber
21 NOES: None
22 ABSENT: None
23 ABSTAINED: None

24 Dated this 14th day of May, 1996.

25 
26 DOUG BALMAIN, Chairman
27 Board of Supervisors

28 ATTEST:


MARGIE WILLIAMS, Clerk of the Board

TO: Josephine Tarango
P.O. Box 1578
Yosemite, CA 95389

RE: CLAIM FOR DAMAGES (Claim No. C96-10)
NOTICE OF REJECTION

AMOUNT OF CLAIM: \$350.00

NOTICE IS HEREBY GIVEN that the claim, which you presented to the Board of Supervisors of Mariposa County on April 12, 1996, was rejected by action of the Board on May 7, 1996.

WARNING

"Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim." (See Government Code Section 945.6)

"NOTE: This six-month filing period applies only to State Court actions. If your action is based on federal law and/or you intend to file it in Federal Court, a shorter or longer period within which to file the action may apply."

"You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately."

JEFFREY G. GREEN
Mariposa County Counsel

PROOF OF SERVICE BY MAIL (1013a, 2015.5 C.C.P.)

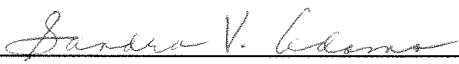
STATE OF CALIFORNIA, COUNTY OF MARIPOSA:

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years and not a party to the within entitled action; my business address is 5100 Bullion Street (P. O. Box 189), Mariposa, CA 95338. On May 24, 1996, I served the within Notice of Rejection of Claim No. C96-10 on the claimant in said action by placing a true copy in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing a copy into an inter-office delivery receptacle located in Counsel's office:

Josephine Tarango
P.O. Box 1578
Yosemite, CA 95389

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on May 24, 1996 at Mariposa, California.



Sandra V. Adams