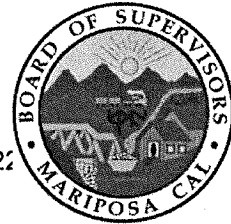


# MARIPOSA COUNTY

Human Resources/Risk Management • (209) 966-3222



## **RESOLUTION - ACTION REQUESTED 2014-324**

MEETING: July 8, 2014

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel

RE: Rejection of Claim No. C14-13 - Claimant: Richard Long DBA: Yosemite's Four Seasons

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve the rejection of Claim No. C14-13 filed by Richard Long (DBA: Yosemite's Four Seasons) in the amount of \$10,468.50 and authorize the Chair to sign the Notice of Rejection. The claimant is alleging failure by the Mariposa County Public Works Department and Peter Rei to adhere to standards set for reliable water delivery as well as negligence that caused copper piping to explode, burst and leak and is requesting reimbursement for alleged property damage. It is recommended that this claim be rejected in its entirety as it is untimely under Government Code 911.2(a).

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board has previously rejected unsubstantiated claims.

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

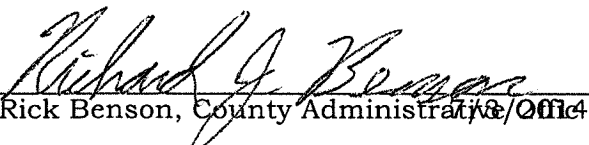
### **ATTACHMENTS:**

**Claim No. C14-13 (PDF)**

**Notice of Rejection - Long-C14-13 (PDF)**

### **CAO RECOMMENDATION**

Requested Action Recommended

  
Rick Benson, County Administrator/Officer

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** John Carrier, District V Supervisor

**SECONDER:** Janet Bibby, District III Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier



Richard Long (DBA: Yosemite's Four Seasons)  
J. Scott Russo, Esq.  
Drake Mirsch  
RUSSO & DUCKWORTH, LLP  
9090 Irvine Center Dr., 2<sup>nd</sup> Floor  
Irvine, CA 92618

**NOTICE OF REJECTION OF CLAIM NO. C14-13/RICHARD LONG**  
**(DBA: YOSEMITE'S FOUR SEASONS)**

Notice is hereby given that the claim which you presented to the Board of Supervisors on June 10, 2014 for \$10,468.50 was rejected.

The foregoing was passed by the following vote of the Board on the 8<sup>th</sup> day of July 2014:

AYES: STETSON, JONES, BIBBY, CANN, CARRIER  
NOES: NONE  
ABSENT: NONE  
ABSTAINED: NONE

  
\_\_\_\_\_  
KEVIN CANN, Chair  
Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
RENE' LA ROCHE  
Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
STEVEN W. DAHLEM  
County Counsel

**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. 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.

**Proof of Service by Mail**  
(1013a, 2015.5 CCP)

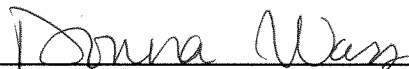
STATE OF CALIFORNIA, COUNTY OF MARIPOSA:

I am a citizen of the United States and a resident of the aforesaid County. I am over the age of eighteen years and not a party to the within entitled action; my business address is 4988 11<sup>th</sup> Street (P.O. Box 1917), Mariposa, CA 95338. On July 22, 2014, I served the within Notice of Rejection of Claim No. C14-13/Richard Long (DBA: Yosemite's Four Seasons) on the claimant in said action by placing a true copy in a postage-paid envelope addressed to the person(s) hereinafter listed, in California, addressed as follows:

Richard Long (DBA: Yosemite's Four Seasons)  
J. Scott Russo, Esq.  
Drake Mirsch  
RUSSO & DUCKWORTH, LLP  
9090 Irvine Center Dr., 2<sup>nd</sup> Floor  
Irvine, CA 92618

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

Executed on July 22, 2014 at Mariposa, California.

  
\_\_\_\_\_  
Donna Wass