

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

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

Authorize Chair to sign an Order of the Board to reject Claim No. C00-3 in the amount of \$369.47. The claimant is requesting reimbursement for damage to her windshield from a passing dump truck. Due to information provided by the Public Works Department, Counsel is requesting denial of this claim.

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:

- Reject claim as recommended.
- Take no action; claim will automatically be denied if no action is 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:

CLERK'S USE ONLY:

Res. No.: 98-260 Ord. No. _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved: _____ Denied: _____

Minute Order Attached () No Action Necessary

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: MBJ

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

TO: Elena Taylor
4908 Indian Peak Road
Mariposa, California 95338

RE: CLAIM FOR DAMAGES (Elena Taylor - Claim No. C00-3)
AMOUNT OF CLAIM: \$369.47
NOTICE OF REJECTION

NOTICE IS HEREBY GIVEN that the claim which you presented to the Board of Supervisors of Mariposa County on June 13, 2000 was rejected as a matter of law on July 18, 2000. (Government Code § 912.4).

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 § 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 August 17, 2000, I served the within Notice of Rejection of Claim 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:

Elena M. Taylor
4908 Indian Peak Road
Mariposa, CA 95338

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on August 17, 2000 at Mariposa, California.


Rhonda Scherf

JEFFREY G. GREEN
County Counsel
P. O. Box 189
5100 Bullion Street
Mariposa, CA 95338

BEFORE THE BOARD OF SUPERVISORS

OF

MARIPOSA COUNTY, STATE OF CALIFORNIA

In the Matter of:)
)
CLAIM FOR DAMAGES PURSUANT) CLAIM NO. C00-3
TO GOVERNMENT CODE § 911.6)
_____)


ELENA TAYLOR, 4908 Indian Peak Road, Mariposa, California, having filed with this Board on June 13, 2000, a claim for damages in the amount of \$369.47.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors that the claim is hereby rejected.

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


AYES: REILLY, BALMAIN, STEWART, PARKER, AND PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

Dated this 18th day of July, 2000.



GARRY R. PARKER, Chair
Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board