

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

DATE: November 13, 1990  
AGENDA ITEM NO. RA 20

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

Pass and Adopt Resolution denying Claim No. C90-14

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board usually follows Counsel's recommendation in these matters.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A

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

CLERK'S USE ONLY:  
Resolution No. 90-527  
Ordinance No. \_\_\_\_\_  
Vote: Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
*MW*) 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

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:  
Denial Form and Claim No. C90-14

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: *JP*

1 JEFFREY G. GREEN  
2 County Counsel  
3 Courthouse  
4 Mariposa, California

5  
6 BEFORE THE BOARD OF SUPERVISORS

7 OF

8 MARIPOSA COUNTY, STATE OF CALIFORNIA

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

12 Donna Finnegan

13 40801 Goldside Drive

14 Oakhurst, CA 93644

15 having filed with this Board on October 15, 1990 a claim  
16 for damages in the amount of \$ 1,826.03;

17 NOW, THEREFORE, it is ordered by the Board of Super-  
18 visors that the claim is hereby REJECTED.

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

21 AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER  
22 NOES: NONE  
23 ABSENT: NONE  
24 ABSTAINED: NONE

25 Dated this 13<sup>th</sup> day of NOVEMBER, 1990.

26 ATTEST:

27 Arthur G. Baggett, Jr., Chairman  
28 Board of Supervisors

29 Margie Williams  
30 MARGIE WILLIAMS, Clerk of the Board

TO: Donna Finnegan  
40801 Goldside Drive  
Oakhurst, CA 93644

RE: CLAIM FOR DAMAGES, NOTICE OF REJECTION

NOTICE IS HEREBY GIVEN that the claim which you presented to the Board of Supervisors of Mariposa County on Mariposa, was rejected by action of the Board on November 13, 1990.

"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."

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:

5088 Bullion Street, Mariposa, CA 95338 MAILING ADDRESS: P. O. Box 189

On November 13, 1990, I served the within

Notice of Rejection of Claim

on the Claimant  
in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mariposa, California addressed as follows:

Donna Finnegan  
40801 Goldside Drive  
Oakhurst, CA 93644

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

Executed on November 20, 1990, at Mariposa, California.

*David Brownfield*

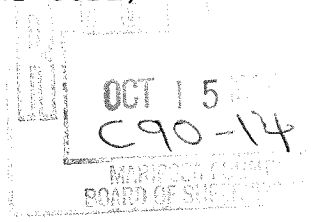
ENCLOSURE'S - Letter, ESTIMATE,  
Tow Bill, photo's of vehicle  
DAMAGES.

Return to: Jeffrey G. Green  
P. O. Box 189  
Mariposa, CA 95338

County of Mariposa Claim Form

Claim of Donna Finnegan )  
(Claimant) )  
v. )  
COUNTY OF MARIPOSA )

CLAIM FOR PERSONAL  
INJURIES AND/OR PROPERTY  
DAMAGES  
(SECTION 910 OF THE  
GOVERNMENT CODE)



To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: Donna Finnegan

Whose address is: 40801 Goldside Drive

City and State: Oakhurst CA Zip: 93644

claims damages from the COUNTY OF MARIPOSA in the amount, computed as of the date of presentation of this claim, of \$ 1,826.03

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

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

which occurred on Between Dec-<sup>1989</sup> Jan, 19 90, in the vicinity of:  
(month) (day)

Yosemite West condos Parking lot  
(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.)

REFER (to ENCLOSED letter) also a  
man named (Walt HAYE) a driver  
for the snow-plow named (Mitch)  
this accident occurred in the above  
mentioned parking lot, REASON DRIVER  
of snow plow who works for County of  
MARIPOSA was their A personal favor to  
RESIDENT manager of condos.

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

As far as I know the Driver  
Mitch and the man Walt HAYE who  
Did not report this to me or anyone also,  
who FIXED the snow plow.

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:) My vehicle a  
1972 Oldsmobile Cutlass Supreme.  
enclosed photo's of the Damages.

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)

parts for car \$ 550.00

labor for it to be fixed \$ 404.60

Other damages (itemize)

paint / mtl. / labor 323.00  
+ supplies \$ 231.00

Bobby labor / towing \$ 150.00 plus 133.00 Tax 34.43

Total damages incurred to date: \$ 1,826.03

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: \$ 1,826.03

All notices or other communications with regard to this claim should be sent to claimant at: SAME address on  
Front page.  
(address to which notices are to be sent)

Dated: 10/17/90 Signed: Dennis J. [Signature]  
(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.