



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL


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June 23, 2016

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TO: LORI GLASGOW  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation 

FROM: ROGER H. GRANBO  
Senior Assistant County Counsel  
Executive Office

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Redgate Partners, LLC v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 562 274**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

RHG:scr

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize the Department of Parks and Recreation to expend up to \$163,150 of existing Parks and Recreation funds on Park improvements in settlement of the matter entitled Redgate Partners, LLC v. County of Los Angeles, Los Angeles Superior Court Case No. BC 562 274.

This inverse condemnation lawsuit alleges that a portion of the Whittier Narrows Equestrian Center – Horseman Park operated by the Department of Parks and Recreation encroached onto plaintiff's property and blows dust which interferes with plaintiff's trucking operations business, calling for the County to complete corrective remedies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Redgate Partners, LLC. v. County of Los Angeles
CASE NUMBER	BC 562274
COURT	Los Angeles Superior Court
DATE FILED	October 31, 2014
COUNTY DEPARTMENT	Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 163,150
ATTORNEY FOR PLAINTIFF	Arnold Graham
COUNTY COUNSEL ATTORNEY	Michael S. Simon
NATURE OF CASE	Inverse Condemnation: Plaintiff claims that a portion of the County's equestrian center extends on to Plaintiff's property, and that dust from the equestrian center blows on to Plaintiff's property and interferes with Plaintiff's trucking operations business.
PAID ATTORNEY FEES, TO DATE	\$ 16,590
PAID COSTS, TO DATE	\$ 10



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	October 31, 2014 – lawsuit filed
Briefly provide a description of the incident/event:	The Claimant, owner of the adjacent property to the County alleges County has constructed within the boundaries of their property. Claimant also alleges continuing nuisance caused by significant quantities of dust and sand blowing from the County property onto his.

1. Briefly describe the root cause(s) of the claim/lawsuit:

1. County encroached on private property: driveway and entrance, landscaping, signage and fencing located on private property.
2. Much of the surface of County's property is undisturbed soil and sand causing dust to be blown onto Claimant's property with additional dust generated during the use of the two horse exercise arenas found on County property.
3. Current water system is insufficient to provide adequate water to the irrigation systems that provide dust control in the arenas.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Department took action to ensure that they do not encroach on other property and take reasonable dust control methods at our equestrian facilities that are in close proximity to homes or businesses. Furthermore, we developed the following corrective action plan to help guard against any reoccurrence of these types of issues in the future:

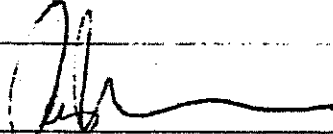
- Survey property boundaries before purchasing "new" property or before making improvements on existing County property;
- Ensure that dust control measures, including irrigation systems and mulch, are installed and monitored by staff on a regular basis;
- Install fencing with windscreens and/or landscaping barriers, when needed, to help control dust and debris on adjacent property.

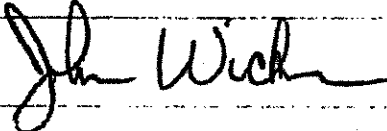
County of Los Angeles  
Summary Corrective Action Plan

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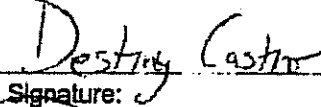
3. Are the corrective actions addressing department-wide system issues?

- Yes – The corrective actions address department-wide system issues.  
 No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Signature: 	Date: 5/23/16

Name: (Department Head)	
Signature: 	Date: 5/24/16

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>
Are the corrective actions applicable to other departments within the County?
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)	
Signature: 	Date: 5/23/2016
