



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

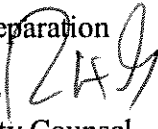
MARY C. WICKHAM
County Counsel

September 27, 2017

TELEPHONE
(213) 974-1609
FACSIMILE
(213) 626-2105
TDD
(213) 633-0901
E-MAIL
rgranbo@counsel.lacounty.gov

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
Melissa Veluz-Abraham, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 511286

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are 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 the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

RHG:vc

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Melissa Veluz-Abraham, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 511286 in the amount of \$800,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Public Works' budget.

This dangerous condition lawsuit against the Department of Public Works arises from the death of a bicyclist in the unincorporated area of Monte Nido in the Santa Monica Mountains.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Melissa Veluz-Abraham, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC511286
COURT	Los Angeles Superior Court
DATE FILED	June 5, 2013
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 800,000
ATTORNEY FOR PLAINTIFF	Bruce A. Broillet Greene Broillet & Wheeler, LLP
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises out of a fatality caused by a solo bicycle accident when Willis Veluz-Abraham lost control of his bicycle while riding down Stunt Road in the unincorporated area of Monte Nido and died after crossing over the center line rumble strip, crossing the lane for traffic in the opposite direction, and riding off the road onto a dirt shoulder and off an embankment. Plaintiffs are Mr. Veluz-Abraham's widow Melissa Veluz-Abraham, their two minor children Ajani Veluz-Abraham and Asante Veluz-Abraham, and the Estate of Willis Veluz-Abraham, all of whom claim to have suffered damages as a result of Mr. Veluz-Abraham's death. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 348,011
PAID COSTS, TO DATE	\$ 151,844



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:	July 14, 2012
Briefly provide a description of the incident/event:	On July 14, 2012, Willis Veluz-Abraham (Decedent) was riding his bicycle on Stunt Road, 3.12 miles south of Mulholland Highway in the unincorporated area of Monte Nido. He rounded a curve and crossed the centerline and rumble strip and continued through the shoulder down a slope, hitting a metal debris rack. He suffered fatal injuries. It is alleged that the centerline with a rumble strip presented a dangerous condition of public property.

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

According to the Traffic Collision Report (TCR), the Decedent was found at fault for the incident due to crossing the existing solid double yellow centerline with a rumble strip, in violation of Section 22107 of the CVC.

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

In accordance with Traffic and Lighting Division's (T&L's) August 24, 2014, Fatal/Severe Injury study, T&L conducted a traffic study to determine if additional traffic control devices were warranted for the subject location. As part of the traffic study, T&L reviewed the completed TCR, various department records, and evaluated the existing traffic control devices at the subject location.

As a result of this study, T&L determined that no additional traffic control devices were warranted at the subject location to address the incident.

A follow-up review of the location was conducted on December 21, 2016, by T&L. Based on this review, two large one-directional arrow signs and supplemental object markers will be installed at the subject curve.

3 Are the corrective actions addressing departmentwide system issues?

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

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)

MICHAEL HAYS

Signature:

[Handwritten Signature]

Date

3/30/17

Name: (Department Head)

Signature:

[Handwritten Signature]

Date

5/1/17

PAP
4/27/17

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have Countywide applicability.
- No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

[Handwritten Signature]
ature

Date