



COUNTY OF LOS ANGELES
CLAIMS BOARD
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Arlene Barrera
Auditor-Controller
Steve Robles
Chief Executive Office
Adrienne M. Byers
Office of the County Counsel

NOTICE OF MEETING

The County of Los Angeles Claims Board will hold a regular meeting on **Monday, June 17, 2019 at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

- a. Kimberly Bartoli, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 655 690

This claim seeks compensation from the Department of Public Works – Water Works District No. 40 for real and personal property damage allegedly caused from a sewage backflow which occurred when the main waterline was being repaired by County employees; settlement is recommended in the amount of \$95,000.

See Supporting Document

- b. Tomas Estarella, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 527 749

This lawsuit arises from an alleged dangerous condition in which Plaintiff's vehicle struck a utility pole after colliding with an ambulance; settlement is recommended in the amount of \$300,000.

See Supporting Documents

- c. Jasmine Purifoy v. County of Los Angeles
Los Angeles Superior Court Case No. BC 655 220

This lawsuit concerns allegations made by a former employee of the Office of the Assessor who alleges discrimination and wrongful termination; settlement is recommended in the amount of \$32,500.

- d. Stacy Johnson v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 683 552

This lawsuit concerns allegations made by a former employee of the Department of Public Social Services who claims that the County discriminated against her; settlement is recommended in the amount of \$50,000.

- e. Enid Goldenberg v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 674 920

This lawsuit concerns allegations made by a former employee of the Department of Public Social Services who claims that the County discriminated against her; settlement is recommended in the amount of \$600,000.

- 4. Report of actions taken in Closed Session.
- 5. Approval of the minutes of the June 3, 2019, regular meeting of the Claims Board.

See Supporting Document
- 6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
- 7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kimberly Bartoli, et al. v County of Los Angeles, et al.
CASE NUMBER	BC655690
COURT	Los Angeles Superior Court
DATE FILED	March 28, 2017
COUNTY DEPARTMENT	Department of Public Works - Water Works District No. 40
PROPOSED SETTLEMENT AMOUNT	\$ 95,000
ATTORNEY FOR PLAINTIFF	Terry Bailey; Abir Cohen Treyzon Salo, LLP
COUNTY COUNSEL ATTORNEY	Michael J. Gordon; Deputy County Counsel
NATURE OF CASE	Plaintiffs Kimberly Bartoli and William Bartoli seek compensation for damages to their real and personal property caused by a sewage backflow which occurred on January 28, 2016, after their lateral sewer line was allegedly damaged by WWD employees who repaired a WWD-owned water mainline on January 27, 2016.
PAID ATTORNEY FEES, TO DATE	\$ 78,330
PAID COSTS, TO DATE	\$ 26,183

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Tomas Estarella, et al. v County of Los Angeles, et al.
CASE NUMBER	BC527749
COURT	Los Angeles Superior Court
DATE FILED	November 18, 2013
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 300,000
ATTORNEY FOR PLAINTIFF	Paul Zuckerman, Esq. Carpenter Zuckerman & Rowley
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	<p>This case involves a vehicle collision that occurred on October 21, 2013, when Plaintiff Tomas Estarella's Nissan Frontier pickup truck collided with a Ford Transport ambulance driven by Defendant Maria Marquez in the intersection of Avenue H and 20th Street East in the City of Lancaster. Following the collision, Plaintiff's vehicle came to rest after crashing into a concrete-encased, utility pole installed, owned, and maintained by defendant Southern California Edison. Ms. Marquez was in the course and scope of her employment with Defendant West Coast Ambulance and was not a County employee. As against the County, Plaintiff alleges that the intersection represented a dangerous condition of public property. Plaintiff claims to have suffered injuries and damages from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 332,498
PAID COSTS, TO DATE	\$ \$49,896

Estarella, Tomas



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 21, 2013
Briefly provide a description of the incident/event:	On October 21, 2013, at approximately 5:54 pm, Mr. Tomas Estarella was traveling eastbound on Avenue H at or near the intersection of 20th Street East in the City of Lancaster. At the same time, a vehicle driven by Ms. Maria Marquez was traveling northbound on 20th Street East when she collided with Mr. Estarella as she was making a left turn toward westbound Avenue H.

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

The collision occurred due to Ms. Marquez's negligence in the operation of her vehicle by proceeding from the limit line into the intersection and failing to observe eastbound vehicles.

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

No corrective action plan proposed. Relevant policies and procedures were followed.

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)
Michael J. Hays

Signature: *Michael J. Hays* Date: 2/14/2019

Name: (Department Head)
Mark Pesirella

Signature: *Angel M. George-Moody* Date: 3/6/19

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 County-wide applicability.
- No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro
Signature: *Destiny Castro*

Date:

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

June 3, 2019

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:33 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: Chair Steve Robles, Arlene Barrera and Adrienne Byers.

Other persons in attendance at the meeting were: Office of the County Counsel: Richard Kudo, Armita Radjabian, and Narbeh Bagdasarian; Department of Parks and Recreation: Anush Gambaryan; Department of Children and Family Services: Karla Hernandez and Chung Bang; Department of Health Services: Arun Patel and Roberto Avitia.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9)

At 9:35 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(d) below.

4. Report of actions taken in Closed Session.

At 10:43 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Hilda Ahmadian, et al. v. State of California, et al.
Los Angeles Superior Court Case No. BC 510 119**

This dangerous condition lawsuit arises due to injuries plaintiffs suffered after a gazebo structure collapse at Castaic Lake State Recreation area.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,950,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

b. **Fabian Rivera, et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV18-2180

This lawsuit alleges plaintiffs' constitutional rights were violated when the Department of Children and Family Services removed the minor children from his custody without a warrant.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$125,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

c. **Riva Higgins v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 618 519

This medical malpractice lawsuit arises from injuries allegedly suffered after Plaintiff underwent a procedure at Harbor-UCLA Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$175,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

d. **Edelia Aleman, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 611 276

This medical malpractice lawsuit is brought by the surviving family whose father died after a complicated course of hospitalization.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$375,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

5. **Approval of the minutes of the May 20, 2019, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 11:08 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By  _____
Derek Stane