

STATEMENT OF PROCEEDINGS
FOR THE SPECIAL MEETING
OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

ON

THURSDAY, MARCH 24, 2008, AT 8:00 AM

Present: Maria M. Oms, Rocky Armfield and John Krattli

The following items were presented to the Claims Board for consideration and the Claims Board took actions as indicated in bold.

1. Call to Order.
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).
 - a. Sylvia Gasparyan v. County of Los Angeles
EEOC Case No. 480-2007-20572

This matter concerns allegations that an employee of the Department of Public Social Services was subjected to discrimination and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$48,518.64.

Absent: None

Vote: Unanimously carried

- b. Hasmik Taranian v. County of Los Angeles
EEOC Case No. 80-2007-23556

This matter concerns allegations that an employee of the Department of Public Social Services was subjected to discrimination and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$36,836.37.

Absent: None

Vote: Unanimously carried

- c. Loretta Borunda v. County of Los Angeles
Los Angeles Superior Court Case No. BC 367 078

This lawsuit concerns allegations that the Department of Health Services failed to engage in an interactive process or provide reasonable accommodation for a disabled employee.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$220,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.

Absent: None

Vote: Unanimously carried

- d. Gloria Gallardo v. Los Angeles County Sheriff's Department
Los Angeles Superior Court Case No. BC 359 788

This lawsuit concerns allegations that an employee of the California Department of Justice was subjected to sexual harassment by a Sheriff's Department employee.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$95,000.

Absent: None

Vote: Unanimously carried

- e. Migliaccio & Welsh v. County of Los Angeles
Los Angeles Superior Court Case No. BC 317 071

This lawsuit concerns allegations that two employees of the Probation Department were subjected to workplace harassment.

Action Taken:

This matter was continued to the next Claims Board meeting.

Absent: None

Vote: Unanimously carried

- f. Claim of Southern California Edison

This claim seeks compensation for property damage caused by a broken water main located along Pacific Coast Highway.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$23,079.95.

Absent: None

Vote: Unanimously carried

[See Attached Documents](#)

- g. Turhan Armstrong v. County of Los Angeles
Los Angeles Superior Court Case No. BC 355 762

This lawsuit seeks compensation for personal injuries sustained in a vehicle accident with an employee of the Internal Services Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$50,000.

Absent: None

Vote: Unanimously carried

[See Attached Documents](#)

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Item No. 3 above.

5. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Southern California Edison
CASE NUMBER	Non-litigated
COURT	N/A
DATE FILED	May 18, 2007 (Claim filing date)
COUNTY DEPARTMENT	Department of Public Works - Special District General Liability Trust Fund
PROPOSED SETTLEMENT AMOUNT	\$23,079.95
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a 30-inch water main line that burst because of natural land movement. The water main line is owned and maintained by the County through its Waterworks Division and supplies water to Waterworks District No. 29 in the Malibu area. Southern California Edison (SCE) claims that the dirt foundation under its power pole was undermined by the gushing water from the adjacent broken water line. SCE

undertook emergency measures to repair and reposition the power pole. Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with SCE.

PAID ATTORNEY FEES, TO DATE \$0

PAID COSTS, TO DATE \$0

Summary Corrective Action Plan
Los Angeles County Department of Public Works



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:	December 2, 2006
Briefly provide a description of the incident/event:	<p>Southern California Edison Claim</p> <p>A 30-inch-diameter transmission water main owned by the Los Angeles County Waterworks District No. 29, Malibu (District) broke at 19652 Pacific Coast Highway due to on-going land movement in the area. The water discharged from the broken water main created a large sink hole in Pacific Coast Highway and undermined an adjacent Southern California Edison power pole. SCE incurred costs to dispatch an emergency crew with equipment to support and stabilize the power pole while the District performed emergency repairs to the water main and roadway.</p>

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


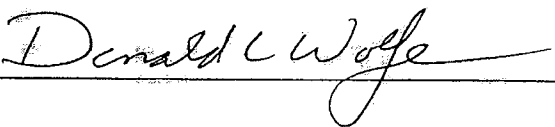
The claim was filed because the water discharged from the District's broken water main undermined a SCE power pole.

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

No corrective actions are recommended. The settlement was a business decision. If SCE files suit the costs to litigate would exceed the current settlement payment. The water main was broken due to natural land movement and no other identifiable cause.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 1/24/08
Signature: (Director) 	Date: 1/24/08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Turhan Armstrong v. County of Los Angeles, et al.</u>
CASE NUMBER	BC355762
COURT	Los Angeles Superior Court
DATE FILED	July 20, 2006
COUNTY DEPARTMENT	Internal Services
PROPOSED SETTLEMENT AMOUNT	\$50,000
ATTORNEY FOR PLAINTIFF	Lawrence Greenbaum, Esq. (818) 380-3060
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	Turhan Armstrong was the fourth car in a five-car, chain reaction, rear-end collision that occurred on October 26, 2004, on the Interstate-10 Freeway, in the Los Angeles Downtown area, east of the Grand Avenue off-ramp. As Mr. Armstrong was slowing for the vehicles ahead of him in the number five westbound lane, he saw a vehicle driven by a County employee in his rearview mirror approach directly behind him at a high speed. The County employee was unable to stop in time and

collided into the rear of Mr. Armstrong's vehicle. The initial collision began a chain reaction collision, ultimately damaging three other vehicles directly ahead of Mr. Armstrong.

Mr. Armstrong was rendered unconscious in the collision and was transported to Los Angeles County/USC Medical Center for emergency treatment. He received a non-displaced linear cervical fracture at the C-6 level and soft tissue injuries to his upper and lower back. Mr. Armstrong's fracture healed. However, he received a course of chiropractic treatment in the following four months for his complaints of pain in his shoulders, upper back, and lower back. He continues to complain of soft-tissue pain in his back.

Mr. Armstrong claims that the County employee negligently operated his vehicle by driving too fast for the traffic conditions. The County claims that Mr. Armstrong failed to mitigate his damages. Due to the risks and uncertainties of litigation, the County Counsel proposes a full and final settlement of this case in the amount of \$50,000.

PAID ATTORNEY FEES, TO DATE	\$26,432
PAID COSTS, TO DATE	\$2,559

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:	10/26/04
Briefly provide a description of the incident/event:	This is an auto liability claim involving a rear-end accident.

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

The root cause of this lawsuit was the ISD driver's inattention to his driving.

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

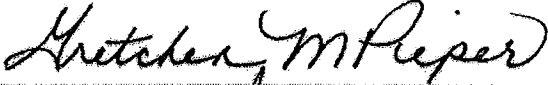
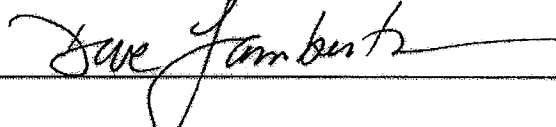
ISD implemented the Smith Driving System on August 23, 2006. All employees with assigned vehicles receive training which encompasses a 2-hour classroom setting to refresh and enhance driving skills and a 4-hour behind-the-wheel driver session. Drivers with preventable motor vehicle accidents are given 4 hours of classroom training and 4 hours of actual behind-the-wheel driving with an instructor. To date, 296 ISD employees have been put through this training (204 Assigned Drivers and 92 Preventable Motor Vehicle Accident Drivers).

Because his accident was deemed preventable, the County driver in this claim, Gurbax Singha, attended the Smith Driving System classroom training on August 23, 2006 and the behind-the-wheel training on September 21, 2006.

As this was his first offense, Mr. Singha was suspended for only three days, from 4/13-15/05.

3. State if the corrective actions are applicable to only your department or other County departments:
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- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 11/15/07
Signature: (Department Head) 	Date: 11/21/07