

STATEMENT OF PROCEEDINGS
FOR THE REGULAR 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

MONDAY, NOVEMBER 3, 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. Keith Dove v. County of Los Angeles
Los Angeles Superior Court Case No. BC 377 316

This lawsuit concerns allegations that an employee of the Sheriff's Department was subjected to disability discrimination and failure to provide reasonable accommodation

Action Taken:

This Claims Board approved settlement of this matter in the amount of \$68,500.

Absent: None

Vote: Unanimously carried

- b. Shanay Bridges v. County of Los Angeles
Los Angeles Superior Court Case No. TC 019 748

This medical malpractice lawsuit arises from treatment received by a patient while hospitalized at Harbor/UCLA Medical Center.

Action Taken:

This Claims Board continued this matter.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- c. Claim of Phyllis Coe

This claim seeks compensation for property damage caused by a sewer backup in the City of Palos Verdes Estates.

Action Taken:

This Claims Board approved settlement of this matter in the amount of \$40,999.33.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- d. Claim of Tamara Rudolph

This claim seeks compensation for property damage caused by a sewer backup in Altadena.

Action Taken:

This Claims Board approved settlement of this matter in the amount of \$100,000.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

e. Claim of Yong Whang

This claim seeks compensation for property damage caused by a sewer backup in the City of Palos Verdes Estates.

Action Taken:

This Claims Board approved settlement of this matter in the amount of \$57,660.57.

Absent: None

Vote: Unanimously carried

See Supporting Documents

f. Julie Brensike v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. SC 094 600

This dangerous condition lawsuit arises from injuries sustained from a fall at a County-owned boat launch in Marina del Rey.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$290,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Beaches and Harbors' budget.

Absent: None

Vote: Unanimously carried

See Supporting Documents

- g. In the matter of Victoria Golf Course Site
HSA-CO 05/06-114

This matter concerns the remediation of environmental contamination at the former BKK Main Street Landfil.

Action Taken:

The Claims Board recommended to the Board of Supervisors that settlement is recommended with the City of Bell by accepting payment of \$100,000; partial settlement is recommended with Shell Oil Company by accepting payment of \$600,000.

Absent: None

Vote: Unanimously carried

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. Approval of the Minutes for the October 20, 2008, meeting of the Claims Board.

Action Taken:

The Minutes for the October 20, 2008, meeting of the Claims Board were approved were approved.

Absent: None

Vote: Unanimously carried

[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.

No such matters were discussed.

7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Shanay Bridges v. County of Los Angeles, et al.
CASE NUMBER	TC 019748
COURT	Los Angeles Superior Court, South Central District
DATE FILED	December 30, 2005
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$1,500,000, plus the assumption of the Medi-Cal lien in the amount of \$112,999
ATTORNEY FOR PLAINTIFF	Steven Heimberg, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>This is a medical malpractice case brought by Shanay Bridges, for the injuries that she suffered when undergoing a back surgery at Harbor/ UCLA Medical Center ("HUMC").</p> <p>On March 15, 2005, Shanay Bridges, a 20-year-old female, was involved in a motor vehicle accident wherein she suffered compression fracture of her T5 and T6 vertebrae. Ms. Bridges was taken to HUMC. At the time of her</p>

admission to HUMC, Ms. Bridges demonstrated no sign or symptoms of neurological deficit.

To decompress her spinal cord, HUMC staff performed a back surgery on April 5, 2005. After the surgery, the patient was left with paralysis and partial loss of sensation below her T4 vertebrae.

Ms. Bridges contends that, prior to the surgery, no one explained the risk of paralysis to her, and as such, she was not fully informed about the risks and complications of the procedure. The plaintiff also contends that, both before and during the back surgery on April 5, 2005, HUMC staff failed to provide her with the necessary care.

Although the County asserts that proper care was provided to Ms. Bridges, considering the risks involved in a jury trial, however, the Department of Health Services agreed to propose a settlement of this case in the amount of \$1,500,000, plus the assumption of the Medi-Cal lien in the amount of \$112,999.

PAID ATTORNEY FEES, TO DATE	\$217,843.52
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PAID COSTS, TO DATE	\$96,625.67
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Summary Corrective Action Plan

Date of incident/event:	April 2, 2002
Briefly provide a description of the incident/event:	<p>On March 12, 2005, Shanay Bridges, a 20 year old female, was involved in a motor vehicle accident whereby she suffered compression fracture of her T5 and T6 vertebrae. Ms. Bridges was taken to HUMC. At the time of her admission to HUMC, Ms. Bridges demonstrated no sign or symptom of neurological deficit.</p> <p>To decompress her spinal cord, the HUMC staff performed a back surgery on April 5, 2005. After the surgery, the patient was left with paralysis and partial loss of sensation below her T4 vertebrae.</p> <p>Ms. Bridges contends that prior to the surgery, no one explained the risk of paralysis to her, and as such, she was not fully informed about the risks and complications of the procedure.</p>

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

- Inadequate informed consent.

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

- Consent forms were revised and standardized at HUMC and were reviewed system-wide to address this issue
- Appropriate personnel corrective actions done
- Directive from DHS Interim Chief Medical Officer that attending physicians are responsible for reviewing consent prior to procedure

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) <i>Kinderzee</i>	Date: 10/15/08
Signature: (Interim Chief Medical Officer) <i>R. Spauln</i>	Date: 10/15/08
Signature: (Interim Director) <i>W. Munn</i>	Date: 10-16-08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Phyllis Coe
CASE NUMBER	N/A
COURT	N/A
DATE FILED	May 11, 2007
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund - Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$40,999.33
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the home of Phyllis Coe located in the City of Palos Verdes Estates. A County sewer crew investigated the complaint and found that wastewater from a sewer main line manhole entered the home through a side door of the home's bathroom and the shower drain. The wastewater intruded into the bathroom, adjoining entry, dining room, office, living



Summary Corrective Action Plan

County of Los Angeles 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.

Claim/Lawsuit:	Phyllis Coe
Date of incident/event:	May 4, 2007
Briefly provide a description of the incident/event:	<p>This is a sewage back-up that occurred at a residence, located at 2417 Via Carrillo, in the City of Palos Verdes Estates. The claimant stated a blocked sewer line caused water to back up through the shower and flow into the bathroom, family room, hall closet, and office.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by plastic bag between Manhole Numbers 240 and 241. Remediation under the Rapid Response Program was initiated.</p>

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

A plastic bag blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on February 16, 2007.

County of Los Angeles Department of Public Works
Summary Corrective Action Plan

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

The segment of main line was placed on a 90-day hydro periodic schedule to prevent future blockages and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be on a semi-annual inspection program.

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) <i>Pat Proano</i> Pat Proano	Date: <i>9/28/08</i>
Signature: (Director) <i>Dean D. Efstathiou</i> Dean D. Efstathiou (Acting Director)	Date: <i>9/29/08</i>

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Tamara Rudolph
CASE NUMBER	N/A
COURT	N/A
DATE FILED	January 15, 2008
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund - Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$100,000
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the home of Tamara Rudolph located in Altadena. A County sewer crew investigated the complaint and found that wastewater from a sewer mainline entered the home through a bathroom drain and intruded into the adjoining hallway, office, two bedrooms, kitchen and basement. The County crew rodded the mainline and relieved a stoppage

created by overgrown tree roots. The wastewater, however, caused additional damage to the flooring, drywall, cabinetry, baseboards, paint, plumbing fixtures, appliances walls and other personal property. The sewer mainline is maintained by the County as part of the Consolidated Sewer Maintenance District. 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.

PAID ATTORNEY FEES, TO DATE	\$0
PAID COSTS, TO DATE	\$400



Summary Corrective Action Plan
 County of Los Angeles Department of Public Works



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Claim: Date of incident/event:	Tamara Rudolph January 12, 2008
Briefly provide a description of the incident/event:	<p>This is a sewage back-up that occurred at a residence at 2071 Maiden Lane, Altadena. The effluent caused damage to the interior baseboard and associated trim, and other personal property.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by tree roots between manhole numbers 227 and 228. Remediation under the Rapid Response Program was initiated.</p>

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

The cause of the sewer backup was a tree root blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on August 17, 2007.

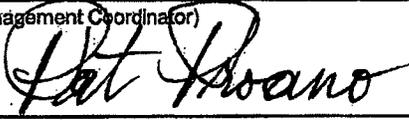
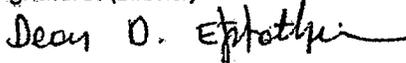
County of Los Angeles Department of Public Works
Summary Corrective Action Plan

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

This segment of the main line was inspected with a closed circuit television and was placed on a 90 day rodding schedule to prevent future blockages and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be on a semi-annual inspection program.

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.
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- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator)  Pat Proano	Date: 7/2/08
Signature: (Director)  Dean D. Efstathiou (Acting Director)	Date: 7/7/08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Yong Whang
CASE NUMBER	N/A
COURT	N/A
DATE FILED	June 6, 2007
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund - Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$57,660.57
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the home of Yong Whang located in the City of Palos Verdes Estates. A County sewer crew investigated the complaint and found that wastewater from a sewer main line manhole entered the home through the home's bathroom toilets. The wastewater intruded into the bathroom, adjoining hallway, closets and bedroom. The County crew hydro-jetted the main

line and relieved a stoppage created by tree roots. The wastewater, however, caused damage to the walls, flooring, baseboards and cabinets. The sewer main line is maintained by the County as part of the Consolidated Sewer Maintenance District. 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.

PAID ATTORNEY FEES, TO DATE \$0

PAID COSTS, TO DATE \$600



Summary Corrective Action Plan
County of Los Angeles Department of Public Works



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Claim: Date of incident/event:	Yong Whang June 2, 2007
Briefly provide a description of the incident/event:	<p>This is a sewage back-up that occurred at a residence at 4264 Via Alondra Place in Palos Verdes Estates. The effluent caused damage to the carpet, drywall, base boards and cabinets of the downstairs area, which included a hallway, closets, bedroom and two bathrooms.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by tree roots between manhole numbers 430 and 469. Remediation under the Rapid Response Program was initiated.</p>

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

The cause of the sewer backup was a tree root blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on June 2, 2006. This section of sewer line was also cleaned in January, 2007 to remove a root blockage.

County of Los Angeles Department of Public Works
Summary Corrective Action Plan

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

This segment of the main line was placed on a 90 day rodding schedule to prevent future blockages and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be on a semi-annual inspection program.

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)

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Signature: (Risk Management Coordinator) <i>Pat Proano</i> Pat Proano	Date: <i>9/28/08</i>
Signature: (Director) <i>Dean D. Efstathiou</i> Dean D. Efstathiou (Acting Director)	Date: <i>9/29/08</i>

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

October 20, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:03 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Andrea Ross and Brian Chu; Department of Mental Health: Zoe Tractenberg; Department of Public Works: Pete Flores.

No members of the public addressed the Claims Board.

At 8:07 a.m., the Chairperson adjourned the meeting into closed session. At 8:49 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Harrison T. v. Los Angeles Unified School District and Los Angeles County Department of Mental Health
Case No. N2008040034

This matter concerns allegations of deprivation of educational rights and mental health services by the Department of Mental Health.

The Claims Board approved settlement of this matter in the amount of \$73,889.79.

The vote of the Claims Board was unanimous with all members being present.

- b. Claim of Carmen Flores

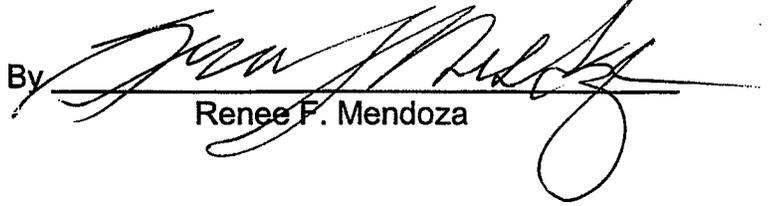
This claim seeks compensation for property damage caused by a sewer backup.

The Claims Board approved settlement of this matter in the amount of \$48,436.94.

The vote of the Claims Board was unanimous with all members being present.

There being no further business, the meeting was adjourned at 8:55 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Renee F. Mendoza