



# COUNTY OF LOS ANGELES

## CLAIMS BOARD

500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

### MEMBERS OF THE BOARD

John Naimo  
Auditor-Controller  
Laurie Milhiser  
Chief Executive Office  
John F. Krattli  
Office of the County Counsel

## NOTICE OF MEETING

The County of Los Angeles Claims Board will hold its regular meeting on **Monday, June 20, 2011, 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. Chelsea K. and Drew C. v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 386 729

This lawsuit concerns allegations of false arrest by the Sheriff's Department; settlement is recommended in the amount of \$35,000.

### [See Supporting Documents](#)

- b. Quincy Crow v. County of Los Angeles  
United States District Court Case No. CV 10-3306

This lawsuit concerns allegations of false arrest and excessive force by Sheriff's Deputies; settlement is recommended in the amount of \$42,500.

### [See Supporting Documents](#)

- c. Desmond Holland v. County of Los Angeles  
Los Angeles Superior Court Case Nos. BC 442 986 and  
BC 451 435

These lawsuits concern allegations that a minor was assaulted by a Detention Services Officer while under the supervision of the Probation Department at the Eastlake Juvenile Detention Center; settlement is recommended in the amount of \$35,000.

[See Supporting Documents](#)

- d. Damon Construction Co. v. County of Los Angeles  
Los Angeles Superior Court Case No. KC 058 247

This lawsuit arises from the County's alleged underpayment for "unclassified excavation" on a sidewalk construction project; settlement is recommended in the amount of \$35,000.

[See Supporting Documents](#)

- e. Emily Walker v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 429 858

This lawsuit concerns allegations that an enrollee at the Fire Department's Ocean Lifeguard Academy was subjected to discrimination; settlement is recommended in the amount of \$35,000.

- f. Ayax Guillermo Pinon v. County of Los Angeles  
Los Angeles Superior Court Case No. LC 090 303

This lawsuit seeks compensation for personal injuries sustained in a motor vehicle accident involving an employee of the Department of Children and Family Services; settlement is recommended in the amount of \$40,000.

- g. Blanca Meraz v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 418 022

This lawsuit concerns allegations that an employee of the Department of Health Services was subjected to discrimination, harassment, and retaliation; settlement is recommended in the amount of \$180,000.

- h. Tamara Moreland v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 433 393

This lawsuit concerns allegations that an employee of the Department of Health Services was subjected to disability discrimination, failure to engage in the interactive process, and retaliation; settlement is recommended in the amount of \$425,000.

- 4. Report of actions taken in Closed Session.
- 5. Approval of the minutes of the June 6, 2011, meeting of the Claims Board and the June 13, 2011, special meeting of the Claims Board.

**[See Supporting Documents](#)**

- 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	Chelsea K. and Drew C. v. COLA, et al.
CASE NUMBER	BC 386729
COURT	Los Angeles Superior Court
DATE FILED	August 20, 2008
COUNTY DEPARTMENT	LASD
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Diane Goldman
COUNTY COUNSEL ATTORNEY	Calvin House Gutierrez, Preciado & House
NATURE OF CASE	<p>Plaintiffs allege that they were falsely arrested by Los Angeles County Sheriff's Deputies.</p> <p>The Sheriff's Department contends that their arrest was based on probable cause.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$35,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE                   \$    141,800.68

PAID COSTS, TO DATE                           \$    19,693.55

Case Name: Chelsea K. et al. v. County of Los Angeles, et al.



## 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:	Friday, March 9, 2007; 11:30 a.m.
Briefly provide a description of the incident/event:	<p><b><u>Chelsea K. and Drew C. v. County of Los Angeles</u></b> Summary Corrective Action Plan No. 2011-012</p> <p>On Friday, March 9, 2007, at approximately 11:30 a.m., a Los Angeles County deputy sheriff arrested the plaintiffs for a violation of California Penal Code section 245(a)(1), Assault With a Deadly Weapon or Force Likely to Produce Great Bodily Injury, and California Penal Code section 136.1, Intimidation of Victims and Witnesses.</p>

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

The plaintiffs allege their arrests were racially discriminatory, unlawful, and a violation of their constitutional rights.

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

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

No employee misconduct is suspected or alleged. Consequently, no corrective action measures are contemplated or recommended.

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County of Los Angeles  
Summary Corrective Action Plan

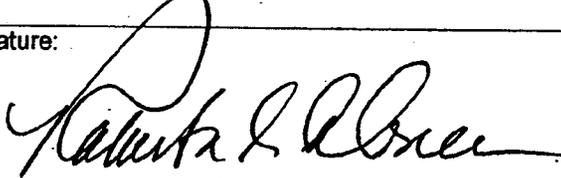
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3. State if the corrective actions are applicable to only your department or other County departments:  
(if unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

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

**Los Angeles County Sheriff's Department**

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 5/11/11

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 5/17/11

**Chief Executive Office Risk Management Branch**

Name: LEO COSTANTINO	
Signature: 	Date: 6/3/2011

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## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Quincy Crow v. COLA, et.al.
CASE NUMBER	CV 10-3306
COURT	United States District Court
DATE FILED	May 3, 2010
COUNTY DEPARTMENT	LASD
PROPOSED SETTLEMENT AMOUNT	\$ 42,500
ATTORNEY FOR PLAINTIFF	Adam Axelrad
COUNTY COUNSEL ATTORNEY	Laura Inlow Lewis, Brisbois, Bisgaard & Smith
NATURE OF CASE	<p>Plaintiff alleges that he was falsely arrested and subjected to excessive force by Los Angeles County Sheriff's Deputies.</p> <p>The Sheriff's Department contends that the arrest was based on probable cause and that the force was reasonable.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$42,500 is</p>

recommended.

PAID ATTORNEY FEES, TO DATE           \$    5,863.50

PAID COSTS, TO DATE                   \$    592.35

Case Name: Quincy Crow v. County of Los Angeles



## Summary Corrective Action Plan

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Date of incident/event:	Thursday, September 25, 2008; 11:18 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><b><u>Quincy Crow v. County of Los Angeles</u></b> Summary Corrective Action Plan No. 2011-013</p> <p>On Thursday, September 25, 2008, at approximately 11:18 p.m., two Los Angeles County deputy sheriffs arrested the plaintiff for violating California Penal Code section 148(a), Resisting, Delaying, or Obstructing Officer or Emergency Medical Technician, after the plaintiff refused to comply with the deputies' directions to stop interfering in a narcotics investigation. During the arrest, the deputies used reasonable physical force to gain control of the plaintiff after he struggled and became combative.</p>

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

A public entity is responsible for the intentional and negligent acts of its employees when the acts are committed in the course and scope of employment. A public employee may also be held liable for the violation of an individual's federal civil rights when the employee makes an arrest that is not based on probable cause or uses unreasonable force.

In August, 2009, a criminal court granted the plaintiff's motion to dismiss the charges on the grounds that the deputies lacked probable cause for the arrest.

The plaintiff alleged his civil rights were violated when he was subjected to excessive force and falsely arrested.

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

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

The Los Angeles County Sheriff's Department's Pico Rivera Station conducted an investigation and

County of Los Angeles  
Summary Corrective Action Plan

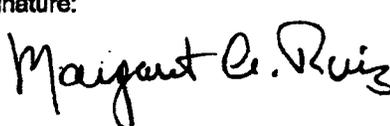
determined that the physical force used by the deputies was reasonable, necessary, and in compliance with Department policy. Consequently, no employee misconduct is suspected or alleged, and no corrective action measures are contemplated nor recommended.

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).

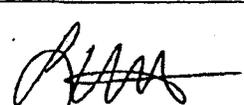
- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

**Los Angeles County Sheriff's Department**

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 5/31/11

Name: (Department Head) Margaret A. Ruiz, Acting Chief Leadership and Training Division	
Signature: 	Date: 06-02-11

**Chief Executive Office Risk Management Branch**

Name: LEO COSTANTINO	
Signature: 	Date: 6/14/2011

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## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Desmond Holland v. COLA
CASE NUMBER	BC 442986 and BC 451435
COURT	Los Angeles Superior Court
DATE FILED	August 4, 2010
COUNTY DEPARTMENT	Probation Department
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Dermot Givens
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>Plaintiff Desmond Holland, alleges that he was assaulted by a Detention Service Officer while under the supervision of the Probation Department at Eastlake Juvenile Detention Center.</p> <p>The Probation Department contends that the force was reasonable.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$35,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 13,479
PAID COSTS, TO DATE	\$ 1,427

Case Name: HOLLAND V. COLA



## 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:	February 6, 2010 at approximately 5:32p.m.
Briefly provide a description of the incident/event:	Plaintiff was a 17 year old African-American Male that was approximately 5'10" 170 lbs., when he was detained at Central Juvenile Hall (CJH) in January 2010 for alleged vandalism on school premises. During this detention the mental health staff listed the plaintiffs enhanced supervision status primarily as Level 3 (minors who are actively suicidal and whose medical or mental state require that they be separated from the regular living unit with a designated staff member in close proximity to the minor directly in the line of sight). On February 6, 2010 at approximately 5:32p.m., an officer and the plaintiff were positioned in the dayroom. The plaintiff suddenly and without warning ran towards the senior's office. The officer went after the plaintiff and gave direct instructions for him to step out of the office. The plaintiff turned towards the officer and swung his arm in his direction. The officer extended his arm to move the minor away from him and the minor fell to the ground. The plaintiff was later restrained. At approximately 5:50pm., the plaintiff was seen in the medical module complaining of an injury to his left arm. The plaintiff was transported to LAC-USC Emergency Ward at approximately 8:00pm., where an X-ray confirmed that he had sustained a humeral fracture to his left arm. In August 2010, the plaintiff filed a civil suit alleging negligence.

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

### Root Cause Analysis:

The initial incident stems from plaintiff's attempt to leave the assigned officers direct line of sight. A root cause factor analysis was conducted including, but not limited to:

- Exposure area relates to plaintiff incurring an injury to his left arm in close proximity to the restraint timeframe.
- Compounding factors include:
  - Enhanced Supervision Policy:
    - Was vague as to what is considered close proximity.
    - Did not allow minors to be in possession of potentially dangerous

- articles such as pencils.
- Did not allow staff to work a second consecutive shift supervising any Level 3 Supervision status minors (i.e.-Level 3 supervision on both shifts).
- Staff member worked a second consecutive eight (8) hour shift (double-shift) supervising a Level 3 minor on the day of the incident.
- Staff member had a conference with supervisor related to Level 3 supervision responsibilities less than six (6) months prior to the incident.
- Plaintiff's threats to injure himself with a pencil on February 5<sup>th</sup> and its potential association with the below:
  - Enhanced Supervision Level 3 staff did not complete the Enhanced Supervision Observation form section related to "Time Room Searched" and "Time Minor Searched".
  - Enhanced Supervision Level 3 staff did not remove sharp objects (pencil) from the minor's possession.
- The plaintiff's history of suicide attempts, self injury and behavior changes during prior detentions.

Based upon the outcome of the above-referenced root cause analysis the Department has determined root cause factors include:

- **Probation staff member(s) deviation from Department Policies, which included:**
  - Staff failed to thoroughly complete the "Enhanced Supervision Observation Form" the day prior to the incident.
  - Staff deviated from policy by working a double-shift supervising a Level 3 minor.
- **Enhanced Supervision Policy lack of clarity related to:**
  - Description of "close proximity to minor".
  - General Staff Supervision Instructions did not allow for staff discretion related to minor's ability to be in possession of pencils, which may be needed for school.
- **Minor's lack of compliance with policy about assaultive and sexual behavior.**

This matter is being settled to mitigate associated legal costs and to avoid a potentially adverse verdict associated with the root/non-root cause factors.

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

**Recommended Root Cause Corrective Action:**

**Task #1 Name:** Enhanced Supervision Policy Modification & Reinforcement

**System Issue:**  Process/Procedure/Personnel

**Responsible Person:** Larry Rubin

**Task Description:**

1. The Department DSB **reinforced modified policy** in Directive #1188 that was previously in Directive #1132 and DSB Manual Section 1400 related to Enhanced Supervision. Reinforcement was done by using at least one of the following: (1) Discussion in staff meetings, (2) Individual staff review with supervisors, (3) Posted in an area frequented by staff, or (4) Electronic distribution. The policy includes, but is not limited to the following information:
  - a. **Designated staff member shall:**
    - i. **Remain in close proximity to the minor (approx. 8-12 feet).**
    - ii. **Remain directly in the line of sight.**
    - iii. **Staff shall ensure that no minor leaves their immediate room, dormitory, or other immediate areas of supervision for any reason, without the direct authorization of the staff supervising the minor, the Shift Leader or the Duty Supervisor.**
    - iv. The assigned staff shall initiate and maintain an Enhanced Supervision Observation Form (ESO) on each eight (8) hour shift during the minor's assignment to Level 4 Supervision status.
      1. The form shall be reviewed, approved and signed by the shift leader at the facility at the conclusion of each eight (8) hour shift and retained in the minor's behavior file.
  - b. **Duty Supervisor Responsibilities** include, but are not limited to:
    - i. Assigning appropriate staff for supervision of minors placed on Level 2, Level 3, or Level 4 status.
  - c. **Shift Leader Responsibilities** include, but are not limited to:
    - i. **Ensuring that staff assigned to supervise minors on Level 2, Level 3, or Level 4 Enhanced Supervision status are appropriately instructed as to their specific duties, including the proper positioning and supervision responsibilities, so they can provide safe and effective supervision.**
    - ii. **Ensure that the ESO is completed by each staff member responsible for supervising a minor and that the off-going staff member's form is signed by the on-coming shift staff member, prior to the shift exchange being concluded.**
  - d. **Level 3 Enhanced Supervision Requirements** include, but are not limited to:
    - i. **Staff that has worked the 2:00pm to 10:00pm**

shift or the 10:00pm to 6:00am shift shall not under any circumstances be assigned to work the next consecutive shift and provide Level 3 supervision.

e. **General Staff Supervision Instructions** include, but are not limited to:

i. All articles accessible to or in the minor's possession that are determined to be potentially dangerous (including pencils) shall be removed from the minor's possession as appropriate.

**This task was completed by the end of January 2011 and is on-going based on operational needs.**

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 for assistance)

- Potentially has County-wide implications.
- Potentially has an implication 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.

Name: (Risk Management Coordinator)	
Signature:	Date:

Name: (Department Head) Donald H. Blevins	
Signature: <i>Donald H. Blevins</i>	Date: 4/28/11

**Chief Executive Office Risk Management**

Name: LEO COSTANTINO	
Signature: <i>LEO COSTANTINO</i>	Date: 4/25/2011

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Damon Const. Co. v. County of Los Angeles
CASE NUMBER	KC058247
COURT	Los Angeles Superior Court-East, Pomona Courthouse-South
DATE FILED	March 16, 2010
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Gill and Baldwin by Kirk S. MacDonald
COUNTY COUNSEL ATTORNEY	Paul T. Hanson Principal Deputy County Counsel
NATURE OF CASE	Plaintiff, Damon Const. Co., alleges the County has breached its contract by failing to pay Damon Const. Co. for 421.40 cubic yards of necessarily excavated "unclassified excavation," at \$147 per cubic yard, or \$61,946 in unpaid contractual compensation for a construction project to build sidewalks in the unincorporated community of Valinda.
PAID ATTORNEY FEES, TO DATE	\$ 39,504
PAID COSTS, TO DATE	\$ 0



# 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:	Damon Construction Company
Date of incident/event:	June 1, 2008
Briefly provide a description of the incident/event:	In June 2008, the County of Los Angeles contracted with Damon Construction Company to replace a concrete sidewalk on Indian Summer Avenue at Blackwood Street, in the unincorporated community of Valinda. The Indian Summer project consisted of a new sidewalk, curb ramps, and driveway construction. The sidewalk construction required excavation of a 5-ft wide strip to a depth of approximately 10 inches throughout the project alignment. The payment schedule for this work was designated under unclassified excavation. The County paid \$202,860 for 1,380 cubic yard of unclass excavation at the completion of the job. Subsequently, the contractor claimed an additional 421.40 cubic yards at the bid price of \$147 per cubic yard or \$61,945.80 for additional unclassified excavation.

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

The contract work was field accepted on September 22, 2008, and all quantities were agreed upon on September 23, 2008, through Change Order No. 1. Subsequently on September 26, 2008, the contractor disputed the actual quantities for unclassified excavation. During our review of this matter, we found that Public Works used theoretical calculations based on the length, width, and depth of the proposed sidewalk and did not perform a cross-section analysis based on an actual survey of the projects topography. The contractor claimed that the theoretical quantity did not reflect the existing field conditions, citing the existing grade was on a slope, which resulted in more excavation work than estimated.

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

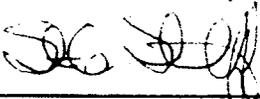
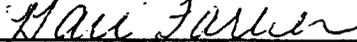
In order to prevent similar claims in the future, we recommend the following corrective measures:

By July 15, 2011, design engineers will be instructed through memorandum to use survey where available or field data to calculate excavation quantities on projects that have topographical features that cannot be calculated by simple theoretical calculations based on length, width, and depth.

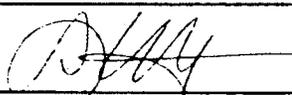
In addition, by July 15, 2011, construction inspectors will be instructed through memorandum to utilize other means such as quantity representations and survey information, when available, to calculate pay quantities for bid items not easily determined from direct measurements.

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 a Countywide implication.
- 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 Countywide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 5/24/2011
Steven G. Steinhoff	
Signature: (Director) 	Date: 6-1-11
Gail Farber	

**Chief Executive Office Risk Management Branch**

Name: LEO COSTANTINO	Date:
Signature: 	Date: 5/20/2011

RB:psr

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## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<b>Ayax Guillermo Pinon vs. County of Los Angeles et al.</b>
CASE NUMBER	LC090303
COURT	Los Angeles Superior Court – Van Nuys
DATE FILED	June 29, 2010
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$40,000
ATTORNEY FOR PLAINTIFF	Theodore S. Lee, Esq. Law Office of Theodore S. Lee
COUNTY COUNSEL ATTORNEY	Robert B. Reagan Principal Deputy County Counsel  (213) 974-1203
NATURE OF CASE	<p>This lawsuit filed by Ayax Guillermo Pinon who seeks damages for personal injuries sustained in a motor vehicle accident involving an employee of the County of Los Angeles Department of Children and Family Services.</p> <p>This accident occurred on Wednesday, October 29, 2008, at approximately 7:10 p.m. The weather was clear and dry. It was dark and the area of the collision was illuminated by street lights. Mr. Pinon was northbound on Kester Avenue on his 2006 Honda Rebel motorcycle 10 feet from the curb line in the #2 lane. Lourdes Francell Iraheta was at a boulevard stop on westbound Runnymede Street in her 2006 Nissan Maxima. As Ms. Iraheta edged out slowly from the stop sign, Mr. Pinon's motorcycle collided with her front bumper throwing him to the ground.</p> <p>The County employee, Lourdes Francell Iraheta, entered plaintiff's right-of-way in</p>

violation of Vehicle Code section  
21802(a).

The Office of the County Counsel join our  
third-party administrator, Carl Warren &  
Company and outside counsel, Kohrs &  
Fiske, in recommending settlement of this  
lawsuit in the amount of \$40,000. The  
Department of Children and Family  
Services concurs in this settlement  
recommendation.

PAID ATTORNEY FEES, TO DATE	\$ 17,313.50
PAID COSTS, TO DATE	\$ 3,453.66

Case Name: Ayax Guillermo Pinon v. County of Los Angeles



## Summary Corrective Action Plan Department of Children and Family Services



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:	10/29/2008
Briefly provide a description of the incident/event:	Employee reports that on October 29, 2008 while driving on county business, a motorcycle collided with the front bumper of her car and the motorcyclist fell to the ground. The employee further reports that the paramedics came but that the motorcyclist was found to be in stable condition. She further states the driver of the motorcycle was given an ice pack for his right foot, but was not taken to the hospital. The employee states that her car front bumper was detached/damaged as well as the hood of her car.

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

The Claimant is pursuing the Department for general negligence, negligent operation of a motor vehicle. County vehicle had a stop sign, the plaintiff did not, and County driver failed to yield right of way to plaintiff, causing the collision.

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

The case was reviewed by the Department's Vehicle Accident Review Committee on 3/16/2011.

**Recommended actions:**

Supervisor to meet with the worker to discuss safe driving techniques.  
Supervisor to ensure the employee is trained on safe driving techniques video clip available on DCFS internet website. Confirmation of training and conferencing with employee to be provided to the VARC committee by May 18, 2010.

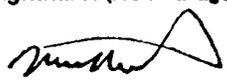
**Currently in place.**

Management Directive, 08-05 Damage to Personal Vehicles and Third Party Liability Coverage;  
 Management Directive, 09-03 Vehicle Loss Control Program. In addition to the following:

The Department has a Vehicle Accident Review Committee.  
 Safe Driving Techniques are posted on a regular basis to the Department's intranet website.  
 Video Clip on safe driving techniques posted to DCFS internet website in addition to email sent to  
 Regional Administrators who oversee mileage permittee staff.

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: 5-11-11
Signature: (Department Head) 	Date: 5/13/11

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 5/4/11

**COUNTY OF LOS ANGELES CLAIMS BOARD**

**MINUTES OF REGULAR MEETING**

**June 6, 2011**

**1. Call to Order.**

This meeting of the County of Los Angeles Claims Board was called to order at 9:34 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: John Naimo, John Krattli and Laurie Milhiser.

Other persons in attendance at the meeting were: Office of the County Counsel: Stacey Lee, Rosemarie Belda, Joyce Aiello, Lauren Black, and Brian Chu; Internal Services Department: Mark A. Colton; Fire Department: Garth Canning; Department of Animal Care and Control: Patricia Learned; Department of Health Services: Evelyn Szeto, Ed Soto, Chi Fong, Luis Fonseca, and Bonnie Bilitch; Department of Children and Family Services: Michelle Victor; Office of Affirmative Action: David Kim; Outside Counsel: Tomas Guterres, Christy O'Donnell, and Calvin House.

**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 9:37 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the item listed as 4(a) below.

**4. Report of actions taken in Closed Session.**

At 12:07 p.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Robert Hernandez v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 436 833**

This lawsuit concerns allegations that a probationary employee of the Internal Services Department was subjected to retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$40,000.

Vote: Unanimously carried  
Absent: None

**b. Claim of Danielle Pollard**

This claim concerns allegations that an employee of the Fire Department was subjected to discrimination.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$61,834.

Vote: Unanimously carried  
Absent: None

**c. Crystal Contreras v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 419 484**

This lawsuit concerns allegations that an employee of the Department of Animal Care and Control was subjected to sexual harassment, retaliation, and wrongful termination.

Action Taken:

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

Vote: Unanimously carried  
Absent: None

**d. Danny M., et al. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 391 690**

This lawsuit concerns allegations of abuse of four minors while in foster care.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$70,000.

Vote: Unanimously carried  
Absent: None

**e. Claims of Beatrice Bagsiao, et al.**

These wrongful death claims arise from a vehicle accident involving an employee of the Department of Health Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$810,000.

Vote: Unanimously carried  
Absent: None

**5. Approval of the minutes of the May 16, 2011, meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Unanimously carried  
Absent: None

**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.**

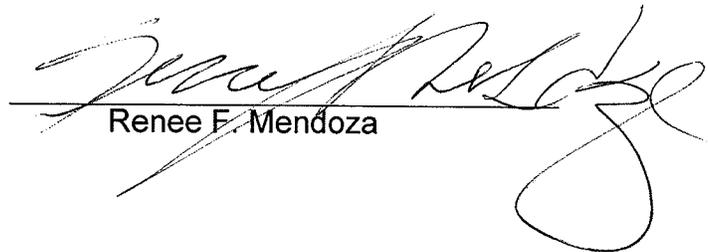
No such matters were discussed.

**7. Adjournment.**

The meeting was adjourned at 12:09 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

  
Renee F. Mendoza

**COUNTY OF LOS ANGELES CLAIMS BOARD**

**MINUTES OF SPECIAL MEETING**

**June 13, 2011**

**1. Call to Order.**

This meeting of the County of Los Angeles Claims Board was called to order at 2:05 p.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: John Naimo, John Krattli and Laurie Milhiser.

Other persons in attendance at the meeting were: Office of the County Counsel: Karen A. Lichtenberg; Department of Public Works: Greg J. Kelley and Erik Updyke.

**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 2:09 p.m., the Chairperson adjourned the meeting into Closed Session to discuss the item listed as 4(a) below.

**4. Report of actions taken in Closed Session.**

At 2:36 p.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. One Case – (Case Under Seal)**

Action Taken:

The Claims Board approved settlement of this matter.

Vote: Unanimously carried  
Absent: None

**5. Adjournment.**

The meeting was adjourned at 2:38 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

  
Renee F. Mendoza