

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD IN THE CITY OF NORWALK,
COMMUNITY MEETING CENTER, SPROUL ROOM
13200 CLARKDALE AVENUE, NORWALK, CALIFORNIA 90650
ON
WEDNESDAY, MARCH 13, 2013, AT 11:00 AM

Members Present: Chair Curtis Morris, Margaret Finlay, Harold Hofmann, Mark Alexander, Michael Egan, and Doug Prichard

Member Absent: Sam Olivito

Alternates Present: Howard Chambers, David Spence, and Cheri Kelley

1. Call to Order.

Michael Gennaco discussed the Jonathan Cuevas v. County of Los Angeles case presented at the February 13, 2013 meeting.

2. Opportunity for members of the public to address the Contract Cities Liability Trust Fund 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. Josie De La Rosa v. County of Los Angeles, et al.
United States District Court Case No. CV 11-00465

This lawsuit concerns allegations of sexual assault by a Deputy Sheriff.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved settlement of this matter in the amount of \$50,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Michael Egan, Doug Prichard, and Harold
Hofmann

Absent: Sam Olivito

[See Supporting Document](#)

- b. Unlitigated Claims of Jan Denham and Robert Levy
Claim No. 11-1087252*005 -*006

The claims concern allegations of auto liability by failing to stop for a red light.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved settlement of this matter in the amount of \$27,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Michael Egan, Doug Prichard, and Harold
Hofmann

Absent: Sam Olivito

[See Supporting Document](#)

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

- a. Gloria Acevedo v. County of Los Angeles, et al.
Norwalk Superior Court Case No. VC 058172

No reportable action was taken.

- b. Jose Hernandez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 473842

No reportable action was taken.

5. Report of actions taken in Closed Session.

The Contract Cities Liability Trust Fund Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Items No. 3 and No. 4 above.

6. Approval of the minutes of the February 13, 2013, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay, Michael Egan, Doug Prichard, and Harold Hofmann
Absent: Sam Olivito

[See Supporting Document](#)

7. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Contract Cities Liability Trust Fund Claims 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.**

Two cases:

- Khanh Nguyen v. County of Los Angeles, et al.
Pomona Superior Court Case No. KC 063375

No reportable action was taken.

- Gordon Phillips v. County of Los Angeles, et al.
Lancaster Superior Court Case No. MC 023209

No reportable action was taken.

8. **Other Business.**

None

9. **Adjournment**

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Josie De La Rosa v. County of Los Angeles, et al.
CASE NUMBER	CV 11-00465
COURT	United States District Court
DATE FILED	January 14, 2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	MORENO & PEREZ, a Prof. Corp. EDGAR I. CORONADO, ESQ.
COUNTY COUNSEL ATTORNEY	Joseph A. Langton
NATURE OF CASE	Plaintiff Jossie De La Rosa, alleges that her federal civil rights were violated when she was subjected to assault and emotional distress by a Sheriff's Deputy. Due to the risks and uncertainties of the litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$50,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 122,706
PAID COSTS, TO DATE	\$ 9,694

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Unlitigated Claims of Jan Denham & Robert Levy
CASE NUMBER	11-1087252*005-*006
COURT	n/a
DATE FILED	1/22/11
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 27,000
ATTORNEY FOR PLAINTIFF	Shawn Steel & Associates
COUNTY COUNSEL ATTORNEY	Brian T. Chu
NATURE OF CASE	Plaintiffs Robert Levy and Jan Denham allege they were injured on Del Amo and Bellflower on 01/22/2011 when their vehicle was struck by a Sheriff vehicle.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

Case Name: Unlitigated Claims of Jan Denham and Robert Levy



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:	Saturday, January 22, 2011, approximately 2:35 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Unlitigated Claims of Jan Denham and Robert Levy</u> Summary Corrective Action Plan No. 2013-003</p> <p>On Saturday, January 22, 2011, at approximately 2:35 p.m., a Los Angeles County deputy sheriff was driving a standard, black and white, County-owned patrol vehicle east on Del Amo Boulevard when the vehicle she was driving collided with the claimants' vehicle in the intersection with Bellflower Boulevard, Lakewood.</p>

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

The traffic collision was thoroughly investigated by representatives from the Los Angeles County Sheriff's Department. Their investigation concluded that the deputy sheriff, although exempt from the California Vehicle Code pursuant to section 21055, Exemption of Authorized Emergency Vehicles, nonetheless caused the traffic collision by failing to drive with due regard for the safety of persons using the highway, a violation of California Vehicle Code section 21056, Effect of Exemption, by traveling at an unsafe speed for the present conditions, and failing to stop for a red traffic signal.

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 procedures/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.

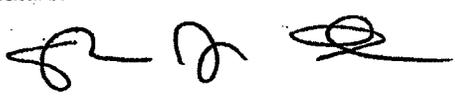
The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

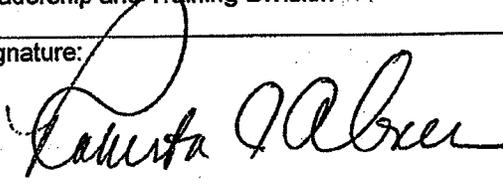
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County of Los Angeles
Summary Corrective Action Plan

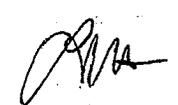
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- 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.

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 2/19/13

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 2/26/13

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 3.6.13

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**COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND
CLAIMS BOARD**

MINUTES OF MEETING

February 13, 2013

Agenda Item No.: 5

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Curtis Morris, at 11:18 a.m. The meeting was held in the City of Norwalk Sproul Room, 13200 Clarkdale Avenue, Norwalk, CA 90650.

Sam Olivito, Executive Director, California Contract Cities introduced the new California Contract Cities Deputy Director Paul Phillips to the Claims Board. Jonathan Shull, Chief Executive Officer, California JPIA, inquired as to the need to have an alternate for the Contract Cities Director. Currently there is a member and alternate for the elected official and city manager from each of the three regions, but not for the Contract Cities Executive Director. The JPIA staff will look into obtaining an appointment of an alternate for this position. Jonathan Shull also introduced Karen Bartak, President/CEO, Bedford Falls Insurance Services, who is working with Allen Boring, Wells Fargo on the insurance renewals for the Liability Trust Fund.

Present at the meeting were **Claims Board Members:** Curtis Morris, Chair, San Dimas, Region III; Mark Alexander, La Canada Flintridge, Region I; Margaret Finlay, Duarte, Region I; Michael Egan, Norwalk, Region III; Doug Prichard, Rolling Hills Estates, Region II; Harold Hofmann, Lawndale, Region II; Sam Olivito, Executive Director, California Contract Cities Association; **Alternates:** David Spence, La Canada Flintridge, Region I; Cheri Kelley, Norwalk, Region III; **County of Los Angeles Staff:** Roger Granbo, Assistant County Counsel; Ernie Romo, Risk Management, Chief Executive Office; Ronald Williams, Civil Litigation Unit, Los Angeles Sheriff's Department; Chris Deacon, Civil Litigation Unit, Los Angeles County Sheriff's Department; Scott Johnson, Civil Litigation Unit, Los Angeles County Sheriff's Department; Alan Boring, Wells Fargo Insurance Services USA, Inc.; Karen Bartak, Bedford Falls Insurance Services; **Third Party Administrator for the County of Los Angeles:** Tanya Souza, Claims, Carl Warren & Company; **California JPIA:** Jonathan Shull, Chief Executive Officer; Jim Thyden, Insurance Programs Manager; Jennifer Fullerton, Secretary.

2. Public Comment

Members of the public were provided the opportunity to address the Contract Cities Liability Trust Fund Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board. No members of the public addressed the Board.

At 11:23 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

**3. Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Government Code Section 54956.9)**

- a. Bryant Roman v. County of Los Angeles, et al.
Unites States District Court Case No. CV1106173

This lawsuit concerns allegations of false arrest and imprisonment by Sheriff's Deputies.

The Contract Cities Liability Trust Fund Claims Board approved settlement of this matter in the amount of \$50,000 as set forth in the Claims Board memorandum.

The vote of the Contract Cities Liability Trust Fund Claims Board was unanimous with all members present.

**4. Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Government Code Section 54956.9)**

- a. William F. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC437875
- b. Katrina Taylor, et al. v. County of Los Angeles, et al.
Norwalk Superior Court Case No. VC058739
- c. Cindy Villalpando, et al. v. County of Los Angeles, et al.
Lancaster Superior Court Case No. MC022826
- d. Jonathan Cuevas, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV1108297

The meeting was reconvened into public session at 12:20 p.m. No action was taken in Closed Session which required a public report pursuant to Government Code Section 54957.1.

5. **Approval of the Minutes for the January 16, 2013 meeting of the Contract Cities Liability Trust Fund Claims Board.**

The Minutes for the meeting of January 16, 2013, were approved.

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 Contract Cities Liability Trust Fund Claims 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**

One case presented: Jonathan Cuevas v. County of Los Angeles

7. **Other Business**

None

8. **Adjournment**

There being no further business, the meeting was adjourned at 12:21 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD



SANDRA C. RUIZ