

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, DECEMBER 4, 2017, AT 9:30 A.M.

Present: Arlene Barrera and Roger Granbo, with Chair Steve Robles being absent.

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. **Azusa Land Reclamation v. County of Los Angeles
Appeal of Enforcement Order for Penalties Associated with Delinquent Solid Waste Management Fee**

This potential lawsuit arises from the imposition of administrative penalties by the Department of Public Works resulting from a landfill operator's late payment of applicable solid waste management fees.

Action Taken:

The Claims Board recommended to the Board of Supervisors the acceptance of payment in the amount of \$250,000.

Vote: Ayes: 2 – Arlene Barrera and Roger Granbo
Absent: Steve Robles, Chair

[See Supporting Document](#)

**b. Priscilla Viramontes Gutierrez, et al. v. Robert Flores, et al.
Los Angeles Superior Court Case Number BC 607 038**

This lawsuit arises from injuries sustained in a vehicle accident involving an employee from the Department of Public Health.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$52,000.

Vote: Ayes: 2 – Arlene Barrera and Roger Granbo
Absent: Steve Robles, Chair

[See Supporting Document](#)

**c. William Tillman v. Leroy Baca, et al.
Los Angeles Superior Court Case No. BC 471 749**

This lawsuit against the Sheriff's Department alleges battery, negligence, and State-law civil rights violations.

Action Taken:

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

Vote: Ayes: 2 – Arlene Barrera and Roger Granbo
Absent: Steve Robles, Chair

[See Supporting Document](#)

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 of the November 20, 2017, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Arlene Barrera and Roger Granbo
Absent: Steve Robles, Chair

[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	Azusa Land Reclamation v. County of Los Angeles (potential lawsuit)
CASE NUMBER	None
COURT	None
DATE FILED	None
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 250,000 (payment to the County)
ATTORNEY FOR PLAINTIFF	Andra Leisy Remy, Moose & Manley
COUNTY COUNSEL ATTORNEY	Julia C. Weissman Senior Deputy County Counsel
NATURE OF CASE	This is a threatened action to challenge an administrative decision requiring the claimant, the operator of a landfill, to pay \$581,538.98 in penalties for the late payment of solid waste management fees (SWMF). Landfill operators are required to pay the SWMF based upon the amount of solid waste disposed at the facility. Public Works contends that the claimant improperly classified a portion of the solid waste received at its facility as beneficial use material that is exempt from the SWMF. The claimant disputes the penalty and asserts that it paid all fees that were due in a timely manner. Due to the risks and uncertainties of litigating this matter, a settlement that reduces the penalties owed by the claimant to \$250,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 6,349.25
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Priscilla Viramontes Gutierrez, et al. v. Robert Flores, et al.
CASE NUMBER	BC607038
COURT	Los Angeles Superior Court
DATE FILED	January 13, 2016
COUNTY DEPARTMENT	Department of Public Health
PROPOSED SETTLEMENT AMOUNT	\$ 52,500
ATTORNEY FOR PLAINTIFF	George Mgdesyan Mgdesyan Law Firm
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal County Counsel
NATURE OF CASE	This case involves a vehicle collision that occurred on January 10, 2015, when a Ford F-350 truck driven by a Department of Public Health employee rear-ended the Mercedes Benz ML350 sport utility vehicle driven by plaintiff Priscilla Viramontes Gutierrez on southbound Atlantic Boulevard at the intersection of El Portal Place, in the City of Monterey Park. Ms. Gutierrez 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.
PAID ATTORNEY FEES, TO DATE	\$ 5,952
PAID COSTS, TO DATE	\$ 2,779

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	William Tillman v. Leroy Baca, et al.
CASE NUMBER	BC 471749
COURT	Los Angeles Superior Court
DATE FILED	December 23, 2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 100,000
ATTORNEY FOR PLAINTIFF	Gary S. Casselman, Esquire
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$100,000, inclusive of attorneys' fees and costs, a lawsuit filed by William Tillman against former Sheriff Leroy Baca, former Undersheriff Paul Tanaka, retired Chief Alexander Yim, Deputies Armando Ibarra, James Krase, Michael Thurman, and Lance Moorman, and Custody Assistant Engelbert Perez alleging battery, negligence, and State-law civil rights violations.</p> <p>The Deputies claim their actions were reasonable under the circumstances.</p> <p>Given the risks and uncertainties of 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 \$100,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 318,629
PAID COSTS, TO DATE	\$ 37,199

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

November 20, 2017

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:29 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 Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Richard Kudo and Catherine Mathers; Fire Department: William McCloud; Department of Health Services: Karen White (via telephone).

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 9:30 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(b) below.

4. Report of actions taken in Closed Session.

At 9:48 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Stacie Laws v. Fire Department, et al.
Los Angeles Superior Court Case No. BC 631 586**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an employee of the Fire Department.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$29,500.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

b. **Eyasu Mekonnen v. County of Los Angeles, et al.**
California Department of Fair Employment and Housing Charge
No. 856944-27604

This complaint filed with the California Department of Fair Employment and Housing by a former employee of the Department of Health Services alleges discrimination and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$60,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

5. **Approval of the minutes of the November 6, 2017, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

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 9:50 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Derek T. Stane