

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD IN THE CITY OF LOS ANGELES, HERTZBERG-DAVIS FORENSIC
SCIENCE CENTER – COMBINED CONFERENCE ROOM, FIRST FLOOR
1800 PASEO RANCHO CASTILLA, LOS ANGELES,
CALIFORNIA 90032

ON

WEDNESDAY, NOVEMBER 8, 2017, AT 11:00 AM

Members Present: Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

Alternates Present: Gustavo Camacho, Reva Feldman, Ernie Hernandez, and Steve Mandoki

1. **Call to Order.**
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. Leeza Nelly De Santiago v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 586363

This lawsuit concerns allegations of automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors and settlement of this matter in the amount of \$180,000.

Vote: Ayes: 11 - Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

- b. Lizbeth Diaz-Hung v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 620104

This lawsuit concerns allegations of automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the Settlement of this matter in the amount of \$32,000.

Vote: Ayes: 9 - Curtis Morris, James Bozajian, Margaret Finlay, Patrick Kearney, Dough Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

Noes: 2 - Mark Alexander and Ray Cruz

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

- a. Maurice Lallemand v. County of Los Angeles, et al.
United States District Court Case No. 2:17-CV-00781

This lawsuit concerns allegations of civil rights violations by Sheriff's Deputies. .

Action taken:

No reportable action taken.

- b. Nekesha Robertson, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:16-CV-02761

This lawsuit concerns allegations of excessive force and wrongful death by Sheriff's Deputies.

Action taken:

No reportable action 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 October 18, 2017, 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: 11 - Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

[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 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.

8. Other Business.

None

9. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Leeza Nelly De Santiago v. County of Los Angeles, et al.
CASE NUMBER	BC586383
COURT	Los Angeles Superior Court
DATE FILED	June 25, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 180,000
ATTORNEY FOR PLAINTIFF	Michael A. Kahn, Esq. Law Offices of Michael A. Kahn
COUNTY COUNSEL ATTORNEY	Joanne Nielsen Principal Deputy County Counsel
NATURE OF CASE	<p>A Deputy Sheriff was traveling approximately 40 miles-per-hour on a motorcycle when he struck the driver's side door of Leeza Nelly De Santiago's vehicle. Ms. De Santiago sustained physical injuries which were treated and mostly resolved. She also suffered emotional trauma, which requires ongoing treatment.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$180,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 80,008
PAID COSTS, TO DATE	\$ 47,231

Case Name: Leeza Nelly De Santiago 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:	
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Leeza Nelly De Santiago v. County of Los Angeles</u> Summary Corrective Action Plan 2017-025</p> <p>On January 9, 2015, at approximately 8:25 a.m., an on-duty motor deputy sheriff was working traffic enforcement in the city of Palmdale when he observed a vehicle traveling at a high rate of speed. Utilizing his radar gun, the deputy sheriff confirmed the vehicle was traveling 114 MPH in a 60 MPH zone.</p> <p>The deputy sheriff pursued the violator to perform a traffic stop and cite the driver for speeding. The deputy sheriff accelerated his motorcycle to 100 MPH but did not utilize his emergency lights or siren as he attempted to catch up to the violator.</p> <p>As the deputy sheriff was traveling eastbound on Columbia Way, he slowed his motorcycle to make a right turn onto 50th Street East to follow the violator. The deputy sheriff observed the plaintiff's vehicle (a 2014 Ford Fiesta) stopped for the stop sign in the left-hand turn bay of northbound 50th Street East, preparing to turn westbound on Columbia Way.</p> <p>The deputy sheriff realized he was traveling too fast to safely navigate the turn and "locked up" his brakes. The deputy sheriff's motorcycle struck the driver's side door of the plaintiff's vehicle. The momentum of the collision caused the deputy sheriff to unseat from the motorcycle, catapult over the plaintiff's vehicle, and fall to the street in the northbound lanes of 50th Street East.</p> <p>Both the deputy sheriff and the plaintiff were transported to Antelope Valley Hospital for medical treatment.</p> <p>The deputy sheriff sustained a fractured right wrist and abrasions to his hands.</p> <p>The plaintiff complained of pain to her left hip.</p> <p>The speed violator was last seen driving southbound on 50th Street East and out of view. The speed violator was never identified or located.</p>

County of Los Angeles
Summary Corrective Action Plan

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

A Department root cause for this incident was the deputy sheriff drove his motorcycle unit at an unsafe speed for the conditions.

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

This traffic collision was thoroughly investigated by representatives from the California Highway Patrol (CHP), Antelope Valley Office. The CHP investigation determined that the deputy sheriff caused the collision as he was traveling at an unsafe speed for the conditions.

The Department also completed a traffic review of this incident. Executive review of the incident determined that the deputy sheriff was at fault for this collision.

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 addressed the circumstances which occurred in the incident. Appropriate administrative action has been taken.

Palmdale Station conducted a review and assessment of all traffic collisions from 2013 through April 2017. Based on this audit, a traffic reduction – risk management plan was developed.

The Palmdale Station's Traffic Collision Reduction – Risk Management Plan will serve as the station's outline for ongoing traffic collision reduction efforts. The intent of the plan is to reduce exposure to auto liability by reducing preventable traffic accidents and minimize the loss or decline of Department resources.

During the audit, it was discovered that the total number of traffic collisions between the calendar year of this incident (January 2015) and calendar year 2016 (last full year of audit) decreased by 15%.

The most frequently cited causes of preventable traffic collisions at Palmdale Station were incidents where employees traveling at low speeds struck objects.

Within this plan, specific risk management issues have been identified and goals have been established. Mitigation efforts will include ensuring employees involved in a preventable traffic collision attend the Sheriff's Alternatives to Discipline Driving Course or the Sheriff Traffic Accident Reduction (S.T.A.R.) driving program.

In reviewing the Department's traffic collisions from January 2014, to August 1, 2017, it was discovered that there were 33 collisions that involved Department Motorcycles (2% of all crashes).

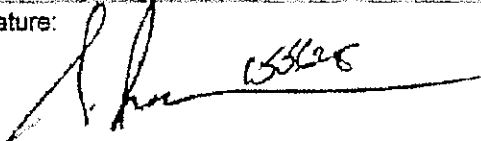
Upon evaluating this incident compared to other motorcycle traffic collisions, it was discovered that the Department could benefit from utilizing motorcycle specific traffic collision data and modifying training to address the identified issues.

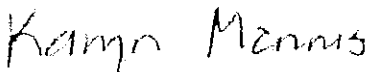
The Department's Training Bureau will now utilize motorcycle specific traffic collision data to identify primary causal factor(s) and/or other identified contributing factors to focus the motorcycle training curriculum on specific problematic issues.

3. Are the corrective actions addressing Department-wide system issues?

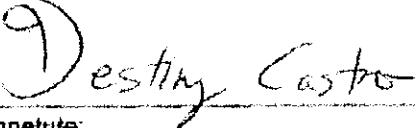

- Yes – The corrective actions address Department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Scott E. Johnson, Captain Risk Management Bureau	
Signature: 	Date: 9-25-17

Name: (Department Head) Karyn Mannis, Chief Professional Standards and Training Division	
Signature: 	Date: 09-25-17

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this Department.	

Name: (Risk Management Inspector General) 	
Signature: 	Date: 9/26/2017

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lizbeth Diaz-Hung v. County of Los Angeles, et al.
CASE NUMBER	BC620104
COURT	Los Angeles Superior Court
DATE FILED	May 10, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 32,000
ATTORNEY FOR PLAINTIFF	Raymond Ghermezian, Esq.
COUNTY COUNSEL ATTORNEY	Adrian Gragas Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arose when a Deputy Sheriff collided into Ms. Diaz-Hung's vehicle in the City of East Los Angeles. Ms. Diaz-Hung claims injuries as a result of the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$32,000 is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 23,482
PAID COSTS, TO DATE	\$ 1,207

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

MINUTES OF MEETING

October 18, 2017

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 11:17 a.m. The meeting was held in the Community Meeting Center, Sproul Room, 13200 Clarkdale Avenue, Norwalk, California 90650.

Present at the meeting were **Claims Board Members:** Curtis Morris, Chair, At-Large; Mark Alexander, East Division; James Bozajian, North Division; Margaret Finlay, East Division; Doug Prichard, At-Large; Ken Striplin, North Division; Mark Waronek, South Division; Ray Cruz, South Division; Patrick Kearney, Central Division; Marcel Rodarte, California Contract Cities Association; **Alternate:** Reva Feldman, At-Large; Lindsey Horvath, At-Large; Gustavo Camacho, South Division; Steve Mandoki, Central Division; **County of Los Angeles Staff:** Jennifer Lehman, Assistant County Counsel; Ruben Baeza, Assistant County Counsel; Buddy Goldman, Los Angeles Sheriff's Department; Maxine Kallenberger, Los Angeles Sheriff's Department; Chris Deacon, Los Angeles Sheriff's Department; Scott Johnson, Los Angeles Sheriff's Department; Matthew Squire, Los Angeles Sheriff's Department; Andrew Rosso, Los Angeles Sheriff's Department; Scott Gage, Los Angeles Sheriff's Department; Jason Ely, Los Angeles Sheriff's Department; **Attendees:** Jose Pulido, Central Division; John La Salle, Sales Executive, Wells Fargo Insurance Services; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims Manager, Carl Warren & Company; John La Salle, Wells Fargo Insurance Services; **California JPIA:** Jim Thyden, Insurance Programs Manager; Denise Covell, Administrative Assistant.

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 11:18 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

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

There were no settlement proposals at this meeting.

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

- a. Sergio Gonzalez Cruz v. Los Angeles County Sheriff's Department, et al.
Los Angeles Superior Court Case No. BC 601062

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action taken:

No reportable action taken.

- b. Teresita Garcia v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 553204

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action taken:

No reportable action taken.

- c. Earving Gonzalez, et al. v. Brian S. Mayfield, et al.
Los Angeles Superior Court Case No. MC 026383

This lawsuit concerns allegations of federal civil rights and wrongful death by a Sheriff's Deputy.

Action taken:

No reportable action taken.

- d. Amalia and Gumerciendo Martinez v. U-Haul, et al.
United States District Court Case No. 2:16-CV-09412

This lawsuit concerns allegations of automobile accident involving a malfunctioning traffic light.

Action taken:

No reportable action taken.

- e. Nekesha Robertson, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:16-CV-02761

This lawsuit concerns allegations of excessive force shooting and wrongful death by a Sheriff's Deputy.

Action taken:

No reportable action taken.

- f. Ashlynn Sosbee v. Antonio Chavez, et al.
Los Angeles Superior Court Case No. BC 652351

This lawsuit concerns allegations of automobile accident involving a malfunctioning traffic light.

Action taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 12:51 p.m. No action was taken in Closed Session which required a public report pursuant to Government Code section 54957.1.

6. Approval of the Minutes for September 20, 2017, 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: 10 - Curtis Morris, Marcel Rodarte, Margaret Finlay, Mark Waronek, Ken Striplin, Mark Alexander, James Bozajian, Doug Prichard, Ray Cruz, and Patrick Kearney

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

None

8. Other Business

None

9. Adjournment

There being no further business, the meeting was adjourned at 1:10 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD


SONYA ZAMUDIO