



ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

77 MAY 7, 2024

County of Los Angeles

May 7, 2024

Dawyn R. Harrison
County Counsel

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

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Supervisor, Second District

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Supervisor, Third District

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Supervisor, Fifth District

TO: JEFF LEVINSON
Interim Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Francisco Perez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV07790



Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

AMB:lzs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Francisco Perez v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 20STCV07790, in the amount of \$125,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Fire Department's budget.

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Fire Department vehicle which overturned while transporting inmate fire crew members.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Francisco Perez vs. County of Los Angeles, et al.
CASE NUMBER	20STCV07790
COURT	Los Angeles Superior Court
DATE FILED	March 3, 2021
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 125,000
ATTORNEY FOR PLAINTIFF	Michael Sanchez, ESQ. Mendez & Sanchez, APC
COUNTY COUNSEL ATTORNEY	Kevin Engeliem Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an accident involving a Los Angeles County Fire Department truck which overturned while transporting inmate fire crew truck members on January 24, 2019. Plaintiff was a passenger in the overturned truck and alleges he was injured and filed suit. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 4,865
PAID COSTS, TO DATE	\$ 3,943



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:	01/24/2019
Briefly provide a description of the incident/event:	<p>On January 24, 2019, Fire Fighter Specialist (FFS), was driving camp crew vehicle (CCV) 14 carrying (10) inmate crew passengers aboard. CCV-14 left Camp 14 on San Francisquito Canyon Road in Santa Clarita and was enroute to Cow Springs Motorway in Neenach to conduct brush clearance. CCV-14 was not responding to an emergency call and was not traveling with lights or sirens. The Plaintiff was one of the 10 inmate crew passengers aboard CCV-14.</p> <p>At approximately 11:45 am, while enroute to a brush clearance assignment, the FFS indicated that after coming out of a left-hand curve, traveling approximately 45-50 miles per hour (MPH), they felt the right rear of the vehicle dip and lose traction. They attempted to regain control of the vehicle after losing traction by letting off the gas pedal and slowly applying the brake and correcting the steering wheel to the left for the vehicle was heading towards the right shoulder which was a descending embankment. It was at this time that the vehicle rolled onto the passenger side and came to a skidding stop.</p> <p>This collision occurred on Pine Canyon Road in the City of Lake Hughes, an incorporated part of Los Angeles County. Pine Canyon Road consist of one lane in the westbound direction and one lane in the eastbound direction and 55 MPH is the posted maximum speed limit at this location. There were no visual obstructions noted or claimed. At the time of the collision, the roadway was dry and the weather was cool and clear.</p>

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

Although CCV-14 was traveling within the speed limit, the Department's root cause in this incident was insufficient traction for the speed that CCV-14 was traveling, causing the vehicle to fishtail and roll-on side.

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

Responsible Person: Deputy Fire Chief Dennis Breshears
Leadership and Professional Standards Bureau

An Internal investigation into this collision was initiated. The investigation determined the FFS would receive four hours of Education Based Discipline (EBD), through the Department's Driver Enrichment Program (DRIVE)..

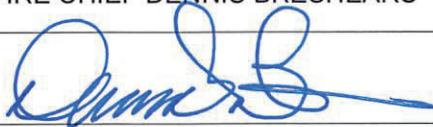
The FFS completed four (4) hours of in person Driver Enrichment Training on November 7, 2019.

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.

Name: (Risk Management Coordinator)
DEPUTY FIRE CHIEF DENNIS BRESHEARS

Signature:



Date:

1-31-24

Name: (Department Head)
FIRE CHIEF ANTHONY C. MARRONE

Signature:



Date:

2-1-24

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have County-wide applicability.
- No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Daniela Prowizor

Signature:

Daniela Prowizor

Daniela Prowizor

Digitally signed by Daniela Prowizor
Date: 2024.02.21 09:13:53 -08'00'

Date:

2/21/2024