



County of Los Angeles

October 8, 2024

Dawyn R. Harrison  
County Counsel

**Board of Supervisors**

Hilda L. Solis  
Supervisor, First District

Holly Mitchell  
Supervisor, Second District

Lindsey P. Horvath  
Supervisor, Third District

Janice Hahn  
Supervisor, Fourth District

Kathryn Barger  
Supervisor, Fifth District

TO: EDWARD YEN  
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  
Marina Rodriguez v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 21STCV18044**



Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is 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 Marina Rodriguez v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 21STCV18044, in the amount of \$125,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Public Works' budget.

This dangerous condition of public property lawsuit against the Department of Public Works arises from injuries Plaintiff allegedly sustained from a trip and fall incident on a parkway in unincorporated Florence.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marina Rodriguez vs. County of Los Angeles, et al.
CASE NUMBER	21STCV18044
COURT	Los Angeles Superior Court
DATE FILED	October 26, 2021
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 125,000
ATTORNEY FOR PLAINTIFF	Navid Natanian, Esq. Law Offices of Navid Natania, APLC
COUNTY COUNSEL ATTORNEY	Kevin J. Engeliem Senior Deputy County Counsel
NATURE OF CASE	<p>This is a dangerous condition of public property lawsuit which arises from a trip and fall accident that occurred on July 31, 2020, when Ms. Rodriguez tripped and fell over a three-inch pole stub sticking out of the ground of a parkway adjacent to 6511 Holmes Avenue. The complaint alleges Ms. Rodriguez suffered orthopedic injuries as a result of the fall. She claims the County of Los Angeles Department of Public Works is responsible for her injuries as the walkway was in a dangerous condition of public property.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 25,466
PAID COSTS, TO DATE	\$ 13,734



## 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:	7/31/2020
Briefly provide a description of the incident/event:	<p>Plaintiff, alleges that on July 31, 2020, she was injured when she tripped and fell over a 2-inch diameter pipe stub from a missing Street Sweeping sign arising 3 inches from the ground that was embedded in the planting area of the parkway located at 6511 Holmes Avenue in the unincorporated Florence/Firestone area.</p> <p>Public Works records do not reflect any reports or complaints of any missing street sweeping signpost at the incident location prior to July 31, 2020. As part of the Monthly Road Inspection Program and the biennial Sidewalk Inspection Program, Road Maintenance Division (RMD) road crews inspect the condition of the roadway and sidewalks, and any necessary repairs or other actions are noted and completed following these inspections. Road Maintenance District 241 crew in our RMD inspected the sidewalks in the Florence/Firestone area, including the sidewalk at the incident location, between September and October 2019 and observed no maintenance issues during this inspection.</p>

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

The 2-inch diameter pipe stub arising 3 inches from the ground embedded in the planting area of the parkway located at 6511 Holmes Avenue in the unincorporated Florence/Firestone area was allegedly a dangerous condition. The stub was determined to be part of a "Street Sweeping" sign, which was inadvertently omitted from the Street Sign Inventory.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

Public Works implements the Biennial Sidewalk Inspection and Repair Guidelines. Although the focus of this sidewalk inspection is the identification of damage and displacement in the sidewalk, curb and gutter, driveway aprons, and wheelchair ramps, the guidelines state that if other significant maintenance issues are found, a barricade shall be placed before the end of the day and noted on the Sidewalk Inspection "Other Significant Maintenance Discovery Form." This form will include the Road Division, date, inspector's name, location, deficiency found, appropriate action taken, and any recommended repairs.


Operational Services Division maintains signs in a three-year cycle; however, the subject sign was not included in the Street Sign Inventory and therefore overlooked during when it came up in its maintenance cycle, nor did Operational Services Division receive any internal or external reports that it was missing prior to the incident. Upon becoming aware of the concern, Operational Services Division investigated and determined the sign not in inventory was a street sweeping signs, however it was no longer needed. The stub was immediately removed.

The pole/stub was removed by Operational Services Division on August 4, 2021. The sign was never replaced as it was determined unnecessary; therefore, it was not added to the Street Sign Inventory. There was no determining factor identified for the omission.

County of Los Angeles  
Summary Corrective Action Plan

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 Manager) Jacklin E. Injijian	
Signature: 	Date: 05/21/2024

Name: (Deputy Director) Steve Burger	
Signature: 	Date: 5/30/24

Name: (Department Head) Mark Pestrella	
Signature: 	Date: 6/10/24

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
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) Daniela Prowizor	
Signature: 	Date: 6/27/2024

ML:psr  
C:\MYFILES\RODRIGUEZ MARINA SCAP