

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD IN THE CITY OF MONTEREY PARK, MONTEREY HILL RESTAURANT,
CARMEL BALLROOM, 3700 RAMONA BOULEVARD, MONTEREY PARK,
CALIFORNIA 91754
ON
WEDNESDAY, APRIL 11, 2018, AT 12:00 PM

Members Present: Curtis Morris, Ernie Hernandez, Mark Alexander, James Bozajian, Margaret Finlay, Patrick Kearney, Doug Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

Alternates Present: Gustavo Camacho, Steve Hofbauer, Lindsey Horvath, 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. Teresita Garcia v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 553204

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,000,000.

Vote: Ayes: 8 - Curtis Morris, Ernie Hernandez, Margaret Finlay, Doug Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

Noe: 3 - Mark Alexander, James Bozajian, and Patrick Kearny

[See Supporting Document](#)

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

- a. Rosa Linda Belman v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 545771

This lawsuit concerns allegations of injuries received in an automobile accident involving a Sheriff's.

Action Taken:

No reportable action taken

- b. Estate of Leroy Browning v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 026632

This lawsuit involves excessive force shooting and wrongful death by Sheriff's Deputies.

Action Taken:

No reportable action taken

- c. Estate of Armando Garcia v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 687480

This lawsuit concerns allegations of assault and battery 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 March 14, 2018, 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, Ernie Hernandez, Mark Alexander, James Bozajian, Margaret Finlay, Patrick Kearney, Doug 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	Teresita Garcia v. County of Los Angeles, et al.
CASE NUMBER	BC553204
COURT	Los Angeles Superior Court
DATE FILED	July 30, 2014
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,000,000
ATTORNEY FOR PLAINTIFF	Robert T. Simon Simon Law Group David Azizi Law Offices of David Azizi
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This case involves a collision that occurred on January 4, 2014, when the Ford Crown Victoria radio car driven by a Deputy Sheriff collided with the Toyota Corolla vehicle driven by plaintiff Teresita Garcia at the intersection of Rosecrans Avenue and Norwalk Boulevard in the City of Norwalk. Ms. Garcia 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	\$ 116,467
PAID COSTS, TO DATE	\$ 83,107



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:	January 4, 2014
Briefly provide a description of the incident/event:	<p><u>Teresita Garcia v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2017-052</p> <p>On Saturday, January 4, 2014, at approximately 11:50 p.m., two on-duty Los Angeles County deputy sheriffs, assigned to Norwalk Station, were traveling in a marked Crown Victoria patrol vehicle west on Rosecrans Avenue, in response to a "burglary now" call for service.</p> <p>As the patrol vehicle approached the intersection at Norwalk Boulevard, the first deputy sheriff (driver) saw the traffic signal at the intersection change from green to red, for her direction of travel. The first deputy sheriff slowed to approximately 34 MPH, turned on the patrol vehicle's overhead rotating lights, and proceeded into the intersection against the red light.</p> <p>Simultaneously, the plaintiff was driving a Toyota Corolla northbound on Norwalk Boulevard and entered the intersection with Rosecrans Avenue on a green light, at approximately 25 MPH.</p> <p>The two vehicles collided in the intersection when the front bumper of the plaintiff's vehicle struck the left front fender of the patrol vehicle.</p> <p>The plaintiff and both deputy sheriffs complained of pain and were transported to local hospitals for treatment of their injuries.</p> <p>Both drivers claim they did not see the other vehicle prior to the collision. Both vehicles sustained major damage due to the collision.</p>

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

The **Department** root cause in this incident is the first deputy sheriff failed to stop for a red traffic light.

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

Traffic Collision Investigation

This incident was thoroughly investigated by representatives from the Norwalk Station, Traffic Unit.

The collision investigation concluded that the first deputy sheriff caused the collision as she entered the intersection against a red light, in violation of California Vehicle Code section 21453(a).

The results of the traffic investigation were presented to Department executives to determine if the deputy sheriff's actions constituted misconduct.

Administrative Investigation

This incident was investigated by representatives at Norwalk Station to determine if any administrative misconduct occurred before, during, or after this incident. The results of the investigation were presented for Department executive adjudication.

Executive evaluation of this incident found the deputy sheriffs' actions were in violation of Department policy. Appropriate administrative action has been taken.

Audit and Assessment of Employee Traffic Collisions at Norwalk Station

Norwalk Station conducted a review and assessment of all employee related traffic collisions from July 2013, through the end of the 2016 calendar year. Based on this audit, a traffic reduction – risk management plan was developed.

The Norwalk Station Traffic Collision Reduction - Risk Management Plan will serve as Norwalk 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 July 2013, and the 2016 calendar year decreased by approximately 10%.

The most frequently cited causes of traffic collisions at Norwalk Station were unsafe starting or backing (16.7%), improper turning (13.6%), and unsafe speed (13.6%).

Within this plan, specific risk management issues have been identified and goals have been established. Strict audits concerning the condition of the fleet and coordination between Department patrol stations and Traffic Services Detail will ensure timely and appropriate mitigation efforts.

Additionally, Norwalk Station will expand driver's training to all employees involved in a traffic collision, and ensure they attend the Sheriff's Department's Alternatives to Discipline Driving Course or the Sheriff Traffic Accident Reduction (S.T.A.R.) driving program.

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.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



Date:

1-18-18

Name: (Department Head)

Karyn Mannis, Chief
Professional Standards and Training Division

Signature:



Date:

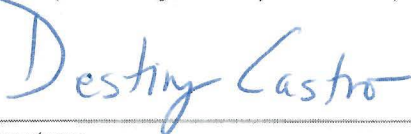
01-22-18

Chief Executive Office Risk Management Inspector General USE ONLY

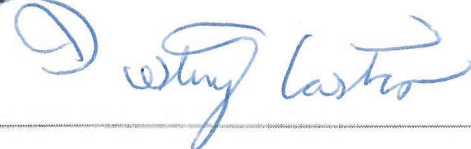
Are the corrective actions applicable to other departments within the County?

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

Name: (Risk Management Inspector General)



Signature:



Date:

1/22/2018

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

MINUTES OF MEETING

March 14, 2018

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 11:27 a.m. The meeting was held in the Monterey Hill Restaurant, Carmel Ballroom, 3700 Ramona Boulevard, Monterey Park, California 91754.

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; Patrick Kearney, Central Division; Doug Prichard, At-Large; Jose Pulido, Central Division; Ken Striplin, North Division; Mark Waronek, South Division; Marcel Rodarte, California Contract Cities Association; **Alternate:** Gustavo Camacho, South Division; Reva Feldman, At-Large; Christian Hernandez, Central Division; Ernie Hernandez, South Division; **County of Los Angeles Staff:** Ruben Baeza, Assistant County Counsel; Elizabeth D. Miller, Principal Deputy County Counsel; Anna Aguilar, Senior Deputy County Counsel; Scott Johnson, Los Angeles Sheriff's Department; Eric Parra, Los Angeles Sheriff's Department; Maxine Kallenberger, Los Angeles Sheriff's Department; Andrew Rosso, Los Angeles Sheriff's Department; Steve Robles, County of Los Angeles; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims Manager, Carl Warren & Company; **California JPIA:** Paul Zeglovitch, Liability Program Manager; Lyndsie Buskirk, Office Assistant; 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 11:28 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)**

- a. Rosa Linda Belman v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 545771

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$450,000.

Vote: Ayes: 10 - Curtis Morris, Mark Alexander, James Bozajian, Margaret Finlay, Patrick Kearney, Doug Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

- b. A. G., et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:17-CV-00753

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,750,000.

Vote: Ayes: 10 - Curtis Morris, Mark Alexander, James Bozajian, Margaret Finlay, Patrick Kearney, Doug Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

- c. Sergio Gonzalez Cruz v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 601062

This lawsuit concerns allegations of injuries received in an 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 \$40,000.

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

Noe: 1 - Patrick Kearny

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

- a. Kathleen Anderson, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-09289

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

Action Taken:

No reportable action taken

- b. Mildred Mae Mendoza, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 594206

This lawsuit involves excessive force shooting and wrongful death by Sheriff's Deputies.

Action Taken:

No reportable action taken

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 12:55 a.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 February 14, 2018, 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, Mark Alexander, James Bozajian, Margaret Finlay, Patrick Kearney, Doug Prichard, Jose Pulido, Ken Striplin, Mark Waronek, and Marcel Rodarte

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 12:55 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD


LUZ ARACELY LOZA