

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, MAY 7, 2018, AT 9:30 A.M.

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

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. **Jasmine E. Jackson, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 2:17-CV-04935

This lawsuit alleges Plaintiff's civil rights were violated when the Department of Children and Family Services removed her child without a warrant.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$280,000.

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

[See Supporting Documents](#)

- b. **Melani Kent v. County of Los Angeles.**
Los Angeles Superior Court Case No. BC 658 241

This lawsuit alleges the Department of Children and Family Services failed to provide access to information and records pursuant to the California Public Records Act.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$23,500.

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

[See Supporting Document](#)

c. **Claudia Gonzalez v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 599 137

This lawsuit arises from alleged injuries sustained when Plaintiff slipped and fell on the wet floor of the restroom located within the Whittier Narrows Recreation area which is maintained by the Department of Parks and Recreation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$50,000.

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

[See Supporting Document](#)

d. **Michael Semon v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 573 253

This lawsuit alleges that an employee of the Department of Public Works was subjected to retaliation and invasion of privacy.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$50,000.

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

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 April 16, 2018, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

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

[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	Jasmine E. Jackson, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:17-CV-04935
COURT	United States District Court
DATE FILED	July 5, 2017
COUNTY DEPARTMENT	Children and Family Services Probation
PROPOSED SETTLEMENT AMOUNT	\$ 280,000
ATTORNEY FOR PLAINTIFF	John Burton, Esq. Law Offices of John Burton
COUNTY COUNSEL ATTORNEY	Armita Radjabian, Esq. Deputy County Counsel Avi Burkwitz, Esq. Peterson Bradford Burkwitz
NATURE OF CASE	<p>Plaintiffs Jasmine Jackson and her son, Rudy G., filed this action for an alleged violation of their constitutional rights arising from the warrantless detention of Rudy G.</p> <p>Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the cases in the amount of \$280,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 36,973
PAID COSTS, TO DATE	\$ 2,183

Case Name: Jasmine Jackson, et al. vs. COLA, 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:	June 3, 2016
Briefly provide a description of the incident/event:	Plaintiff alleged that her and her son's civil rights were violated when he was removed from her care without a Removal Warrant, consent, or exigency, thereby causing harm and damages.

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


The Department believed exigent circumstances existed at the time of the child's detention from his mother.

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

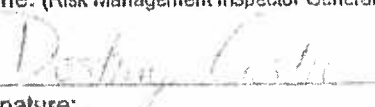
- A. The Department is committed to ensuring that its staff is trained to provide legally-sufficient child welfare services to families under its purview. Annual warrant trainings for all the regional offices begin in February, and are scheduled to continue throughout the year. These trainings are intended to ensure that social workers, supervisors and administrators are performing to legally-mandated standards and are kept apprised of new laws pertaining to their duties.
- B. The Warrant Desk is available to all social work staff on a case by case basis for legal consultation regarding the necessity for pursuing child removal warrants.
- C. Upon settlement approval, the Office of Litigation Management, County Counsel and Defense Counsel will begin convening settlement briefings with the involved defendants and the managers in their chain of command to discuss the circumstances of the lawsuit.

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

- ✓ The corrective actions address department-wide system issues.
The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
DIANE IGLESIAS, SENIOR DEPUTY DIRECTOR	
Signature: 	Date: 1.22.18

Name: (Department Head)	
BOBBY GAGLE, DIRECTOR	
Signature: 	Date: 1.24.18

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
Signature: 	Date: 1/24/18



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:	6/3/2016
Briefly provide a description of the incident/event:	During the course of a compliance check on a probationer, the Probation Department's Special Enforcement Operations (SEO) made discovery of drug paraphernalia in a common area of a residence. Consequently, a child present in the same residence was placed into the custody of the LA County Department of Children and Family Services (DCFS).

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

Root Cause A: The primary root cause of this event was that during the course of a compliance check, drug paraphernalia was discovered in a common area of the residence that was easily accessible to a minor who resides in the home.

Root Cause B: An additional root cause is lack of improved policy and communication between Probation and DCFS regarding the referral and subsequent removal of minors from a residence where a probationer is residing.

Root Cause C: A non-Department root cause of the event was the probationer's non-compliance with the terms of his probation via possession of drug paraphernalia, as well as refusal to submit to search and seizure as required.

2. Briefly describe recommended corrective actions:

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

A: Routinely ensure compliance with the Public Safety Realignment (AB109) Bureau Manual-Community Contacts Policy Section PSR-507 in regards to field contacts and compliance checks for Post-released Supervised Persons (PSPs). Routinely ensure compliance with the Penal code 3453(f) in regards to authority to conduct a compliance check. In this matter, the Department determined that all of the above were complied with.

B: Policy/procedure is needed requiring DCFS referrals when there is suspected child endangerment. The Department will review all policies, processes and procedure to ensure they are updated and make any changes deemed appropriate.

The Department will work with our DCFS counterparts, and more specifically with the social workers to familiarize them and ourselves with Probation's policies, procedures, and terminology. We will provide relevant copies of our policies to DCFS.

The Department will also provide AB109 and Armed staff training to ensure all efforts are made in during compliance checks to reduce a negative impact on any children who are present during a

County of Los Angeles
Summary Corrective Action Plan

compliance check.

C: N/A – This non-Department root cause is the responsibility of each probationer.

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)

Vicky Santana

Signature:

Vicky Santana

Date:

4/24/18

Name: (Department Head)

RONALD BARBER

Signature:

Ronald Barber

Date:

4-26-2018

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)

Destiny Castro

Signature:

Destiny Castro

Date:

4/24/2018

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kent, Melani vs. Los Angeles County
CASE NUMBER	BC658241
COURT	Los Angeles Superior Court
DATE FILED	April 18, 2017
COUNTY DEPARTMENT	Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ \$23,500
ATTORNEY FOR PLAINTIFF	Gregory Hood, Esq.
COUNTY COUNSEL ATTORNEY	Armita Radjabian, Esq. Deputy County Counsel
NATURE OF CASE	<p>Petitioner seeks a court order to compel Respondent to comply with California Public Records Act.</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 \$23,500 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ \$41,000
PAID COSTS, TO DATE	\$ \$5

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claudia Gonzalez v. County of Los Angeles
CASE NUMBER	BC599137
COURT	Los Angeles Superior Court
DATE FILED	October 27, 2015
COUNTY DEPARTMENT	Department of Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Darren Manibog, Manibog Law, PC
COUNTY COUNSEL ATTORNEY	Kelsey Nau, Senior Associate County Counsel
NATURE OF CASE	This lawsuit arises from an October 22, 2014, slip and fall incident at Whittier Narrows Recreation Area. Plaintiff claims to have suffered injuries as a result. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 57,689
PAID COSTS, TO DATE	\$ 11,644

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 16, 2018

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:31 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: Jonathan McCaverty, Wendy Sha, Michael Gordon, Diana Taing, Richard Kudo, David Lee, Richard Brouwer, and Narbeh Bagdasarian; Probation Department: James Johnson; Sheriff's Department: Judy Gerhardt, Mike Leum, Crystal Miranda, Gregory Nelson, Kevin Percy, and Dominic Dannan; Department of Beaches and Harbors: Stefan Popescu; Department of Public Works: Dominic Osmena, Steve Burger, and Jeffrey Howard; Fire Department: Julia Bennett and William McCloud; Department of Health Services: Yvette Kemhadjian and Loi Augusta; and Outside Counsel: Gil Burkwitz.

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 9:33 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(k) below.

4. Report of actions taken in Closed Session.

At 10:42 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. South Coast Air Quality Management District v. Los Angeles County Probation Department South Coast Air Quality Management Board Case No. 6025-2

This is an assessment of penalties against the Probation Department for failure to comply with deadlines regarding alleged violations of the California air quality emission standard regulations.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$25,000.

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

b. **Tappan Zee v. James McDonnell, et al.**
United States District Court Case No. CV 16-03166

This lawsuit alleges that a former Reserve Deputy was subjected to harassment, discrimination, and retaliation by the Sheriff's Department.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$95,000.

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

c. **Megan Delaney, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 570 697

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.

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

d. **George P. Takis v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 637 187

This lawsuit arises from alleged injuries sustained in a vehicle versus pedestrian accident involving an employee from the Department of Beaches and Harbors.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$25,000.

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

e. **Dawn DaLuise v. County of Los Angeles, et al.**
United States District Court Case No. CV 15-02701

This lawsuit concerns allegations of deliberate indifference to the medical needs of an inmate while in the custody of the Sheriff's Department and also while she was a patient at one of the facilities operated by the Department of Health Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$270,000.

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

f. **Garrett O'Haver v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 613 740

This lawsuit alleges that an employee of the Department of Public Works was subjected to harassment, discrimination, and retaliation based on age.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$25,000 (plus waiver of \$32,290 in costs).

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

g. **Sherrie Sheppard, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 652 345

This dangerous condition and wrongful death lawsuit against the Department of Public Works arises from an automobile accident at an intersection in Marina Del Rey.

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

h. **Lesly Adriana Colindres v. Rancho Simi Recreation and Park District, et al.**
Los Angeles Superior Court Case No. BC 603 434

This negligence lawsuit against the Fire Department arises from Plaintiff's fall into a concrete wash after an automobile accident.

Action Taken:

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

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

i. **Elena Goldenberg v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 630 622

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$27,500.

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

**j. Daniel Gordon, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:17-CV-3044**

This lawsuit concerns allegations that the Fire Department violated the Fair Labor and Standards Act by not compensating for overtime.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$450,000.

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

**k. Emily Tellez v. County of Los Angeles
Los Angeles Superior Court Case No. VC 065 892**

This medical malpractice lawsuit filed by Plaintiff for alleged injuries she suffered at birth after being treated by a physicians under contract with the County.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,000,000.

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

5. Approval of the minutes of the April 2, 2018, 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 10:45 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Sandra C. Ruiz