

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, MAY 4, 2020, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.

- 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. Cogen Landfill Claim

This claim alleges that the County failed to comply with the Los Angeles County Department of Health Services, Solid Management Waste Program order to install a gas control system at the Cogen Landfill.

Action Taken:

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

**b. J.C. v. County of Los Angeles, et al.
United States District Court Case No. 18-CV-03045-DMG-FFM**

This federal lawsuit alleges Plaintiffs' civil rights were violated when social workers wrongfully detained her child.

Action Taken:

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

c. **Hani Yasin, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 18-CV-001178

This federal lawsuit alleges Plaintiffs' civil rights were violated when employees from the Department of Children and Family Services wrongfully detained her children.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,250,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

d. **Angela Kodzhanyan v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 712402

This dangerous condition lawsuit arises from Plaintiff's injuries due to an alleged slip and fall on a set of stairs at the clinic tower at LAC+USC Medical Center.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$65,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

e. **Peprone Adzhyan, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 18STCV09379

This lawsuit arises from the death of a patient at Harbor-UCLA Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$750,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

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 20, 2020, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[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 | Cogen Landfill SWIS # 19-AA-0581 |
| COUNTY DEPARTMENT | Chief Executive Office |
| PROPOSED SETTLEMENT AMOUNT | \$95,000 |
| ATTORNEY FOR PLAINTIFF | Robert Ragland Principal Deputy County Counsel |
| COUNTY COUNSEL ATTORNEY | Casey Yourn Senior Deputy County Counsel |
| NATURE OF CASE | <p>The Cogen Landfill (formerly known as the "Cogen Dump") operated between 1951 and 1957, accepting general household, commercial, and industrial wastes.</p> <p>The Cogen Landfill is currently owned by several entities ("Landfill Property Owners"): the County of Los Angeles ("County") - 4.6 acres (12 percent of the total area); Crown Enterprises – 28.4 acres (71 percent); and Bar V. Bar – 7 acres (17 percent).</p> <p>On August 8, 2013, the Los Angeles County Department of Health Services, acting as the Local Enforcement Agency ("LEA"), ordered the Landfill Property Owners to monitor the levels of landfill gas emissions at the Cogen Landfill ("LFG") and install an LFG control system within 24 months ("2013 Order"). On February 22, 2018, the LEA modified the 2013 Order to set an August 31, 2018 compliance date ("2018 Modified Order") to, among other things, have each Landfill Property Owner install an LFG control system on its property.</p> |

Despite good faith efforts by the County to comply with the LEA directives (as the LEA has acknowledged), the County has not yet installed an LFG control system on its parcel. Accordingly, the LEA alleges that, because full compliance with the 2018 Modified Order has not been achieved by the County, the County is subject to certain monetary penalties.

The County and the LEA have reached a conditional settlement of the LEA's claims, which is subject to Los Angeles County Claims Board approval. Under the settlement agreement, the County will pay the LEA \$95,000. In exchange, the LEA will extend the compliance completion date until August 31, 2021, and the LEA will waive and release the County from and against all past claims, including for past penalties.

It is recommended that the County accept the proposed settlement.

| | |
|-------------------------------|----------|
| PAID ATTORNEYS' FEES, TO DATE | \$59,236 |
| PAID COSTS, TO DATE | None |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | J.C. v. County of Los Angeles, et al. |
| CASE NUMBER | 18-cv-03045-DMG-FFM |
| COURT | United States District Court |
| DATE FILED | January 12, 2018 |
| COUNTY DEPARTMENT | Department of Children and Family Services |
| PROPOSED SETTLEMENT AMOUNT | \$ 25,000 |
| ATTORNEY FOR PLAINTIFF | Vincent W. Davis Esq. |
| COUNTY COUNSEL ATTORNEY | Katherine Bowser, Principal Deputy County Counsel Tomas A. Guterres, Esq. |
| NATURE OF CASE | <p>This is a recommendation to settle, for \$25,000. A federal lawsuit brought by J.C., a minor, and her parents, Mary Pegler and Richard Cote ("Plaintiffs") against Department of Children and Family Services ("DCFS") social workers Malika Edmonson and her supervisor, Imelda Santos. The Plaintiffs claim that their civil rights were violated when social workers wrongfully detained and presented false statements in the Detention Report to support the continued detention of J.C.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of this case in the amount of \$25,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 87,787 |
| PAID COSTS, TO DATE | \$ 1,689 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Hani Yasin v. County of Los Angeles, et al. |
| CASE NUMBER | 18-CV-001178 |
| COURT | United States District Court |
| DATE FILED | February 12, 2018 |
| COUNTY DEPARTMENT | Department of Children and Family Services |
| PROPOSED SETTLEMENT AMOUNT | \$ 750,000 |
| ATTORNEY FOR PLAINTIFF | L. Wallace Pate, Law Offices of L. Wallace Pate John McNicholas, McNicholas & McNicholas LLP |
| COUNTY COUNSEL ATTORNEY | Shawn Luna, Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle, for \$750,000, this lawsuit against the County of Los Angeles, the Department of Children and Family Services, and several employees, alleging that Plaintiffs' constitutional rights were violated when social workers removed her three minor children from her custody.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of this case in the amount of \$750,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 56,573 |
| PAID COSTS, TO DATE | \$ 6,827 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Angela Kodzhanyan v. County of Los Angeles, et al. |
| CASE NUMBER | BC712402 |
| COURT | Los Angeles Superior Court |
| DATE FILED | June 29, 2018 |
| COUNTY DEPARTMENT | Department of Health Services |
| PROPOSED SETTLEMENT AMOUNT | \$ 65,000 |
| ATTORNEY FOR PLAINTIFF | Michael Martinez, Michael Martinez Law, APC |
| COUNTY COUNSEL ATTORNEY | Michael J. Gordon, County Counsel George L. Mallory, Jr., George L. Mallory, Jr. & Associates |
| NATURE OF CASE | On June 12, 2017, Plaintiff Angela Kodzhanyan alleges that she slipped and fell on a puddle of clear liquid while walking down a set of stairs in the Clinic Tower at LAC+USC Medical Center. She sustained injuries as a result of the incident. |
| PAID ATTORNEY FEES, TO DATE | \$ 24,853 |
| PAID COSTS, TO DATE | \$ 13,692 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Peprone Adzhyan, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | 18STCV09379 |
| COURT | Los Angeles Superior Court |
| DATE FILED | February 4, 2019 |
| COUNTY DEPARTMENT | Department of Health Services |
| PROPOSED SETTLEMENT AMOUNT | \$ 750,000 |
| ATTORNEY FOR PLAINTIFF | Patricia A. Law, Esq. Law Offices of Patricia A. Law, APC |
| COUNTY COUNSEL ATTORNEY | Narbeh Bagdasarian Principal Deputy County Counsel |
| NATURE OF CASE | <p>On December 15, 2017, Ara Badalyan, a 59-year-old male, was brought to Harbor-UCLA Medical Center ("HUMC") with a heart condition. On December 18, 2017, Mr. Badalyan died as a result of his heart disease.</p> <p>Mr. Badalyan's surviving family brought a wrongful death lawsuit against the County of Los Angeles and some of the HUMC providers alleging that the care provided to Mr. Badalyan at HUMC fell below the standard of care, and as such, contributed to his death.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 66,887 |
| PAID COSTS, TO DATE | \$ 60,921 |

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

APRIL 20, 2020

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:34 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members online for the teleconference meeting were: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Keever Muir, David Lee, Richard Kudo, Rory Allen, Jonathan McCaverty, Kent Sommer, Wendy Sha, and Eduardo Montelongo; Chief Executive Office: Angela Davis, and Alisa Chepeian; Department of Public Works: Ronald Castaneda; Sheriff's Department: Kevin Percy, and Kristine Corrales; Department of Parks and Recreation: Donald Limbrick, and Vicky Santana; Fire Department: Julia Kim; Department of Public Social Services: Arnetta Counts, and Simone Agee; Department of Children and Family Services: Travis Webb; and Outside Counsel: Nohemi Ferguson, Michael Fredricks, and Dennis Gonzales.

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 9:38 a.m., the Chairperson convened the meeting into Closed Session to discuss the items listed as 4(a) through 4(i).

4. Report of actions taken in Closed Session.

At 11:22 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Antonio Fernandez v. County of Los Angeles
United States District Court No. 2:19-CV-01077-GW-KS**

This lawsuit against the Department of Parks and Recreation alleges recreational amenities at a County Park are not accessible to wheelchair users in violation of the Americans with Disabilities Act.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

**b. Roberto Mercado v. Richard Olquin, et al.
Los Angeles Superior Court Case No. BC 662 974**

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

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

**c. Tamika Whitmore v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 18AVCV00068**

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$70,000.

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

d. California Department of Toxic Substances v. County of Los Angeles

This claim against the County alleges liability for contribution to a contaminated hazardous waste facility under the Comprehensive Environmental Response Compensation and Liability Act.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$98,000.

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

**e. Christopher Clausen v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 661 851**

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

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,250,000.

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

f. **Enrique Triana v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV05804

This lawsuit concerns allegations that an employee of the Department of Children and Family Services was subjected to retaliation and wrongful termination.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

g. **Marlene Smith v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 18STCV03344

This lawsuit concerns allegations that an employee of the Department of Public Social Services was subjected to racial discrimination and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$47,250.

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

h. **Claim of Rufus Moore, Jr., M.D.**

This claim involves a potential wrongful termination lawsuit by a Physician Specialist employed by the Department of Health Services.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

5. **Approval of the Minutes of the April 6, 2020, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Chair Steve Robles, and Adrienne Byers
Absent for vote: Arlene Barrera

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.**

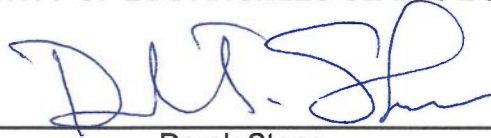
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 11:25 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Derek Stane