

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD VIA-TELECONFERENCE

ON

WEDNESDAY, January 13, 2021, AT 11:00 AM

Members Present: Mark Waronek, James Bozajian, Reva Feldman, Lindsey Horvath, Margaret Finlay, Mark Alexander, Patrick Kearney, Ken Striplin, Marcel Rodarte, Jennifer Vasquez, Ernie Jimenez.

Alternates Present: *Kevin Chun, Steven Hofbauer, John Moreno, Rob Wishner, Gustavo Camacho, Bryan Cook, Jose Gonzalez.*

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. Matthew Richardson v. Christopher Quinn Jackson; Los Angeles Sheriff's Department; County of Los Angeles; Does 1 through 20, inclusive.

Los Angeles Superior Court Case No. BC 669104

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 Supervisor the settlement of this matter in the amount of \$165,000.

Vote: Ayes: 11 - Mark Alexander, James Bozajian, Reva Feldman, Margaret Finlay, Patrick Kearney, Lindsey Horvath, Ernie Hernandez, Jennifer Vasquez, Ken Striplin, Marcel Rodarte, Mark Waronek.

[See Supporting Document](#)

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

There are no settlement proposals for this meeting.

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 December 9, 2020 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 - Mark Alexander, James Bozajian, Reva Feldman, Margaret Finlay, Patrick Kearney, Lindsey Horvath, Ernie Hernandez, Jennifer Vasquez, Ken Striplin, Marcel Rodarte, Mark Waronek.

[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	Matthew Richardson v. County of Los Angeles, et al.
CASE NUMBER	BC669104
COURT	Los Angeles Superior Court
DATE FILED	July 19, 2017
COUNTY DEPARTMENT	Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 165,000
ATTORNEY FOR PLAINTIFF	Sean M. Novak, Esq. The Novak Law Firm, P.C.
COUNTY COUNSEL ATTORNEY	Michael J. Gordon, Deputy County Counsel
NATURE OF CASE	<p>On December 24, 2016, Plaintiff Matthew Richardson's sedan collided with a Sheriff's Department SUV in the intersection of Fairfax Avenue and Fountain Avenue in the City of West Hollywood. It is alleged that the Deputy Sheriff driving the SUV caused the collision by running a red light. Plaintiff alleges he sustained bodily injuries, loss of earnings and general damages as a result of the incident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$165,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 56,453
PAID COSTS, TO DATE	\$ 40,599



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:	Saturday December 24, 2016, at approximately 9:10 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Matthew Richardson v. County of Los Angeles</u> Summary Corrective Action Plan 2020-2023</p> <p>On December 24, 2016, at approximately 9:10 a.m., two on-duty Los Angeles County Sheriff's Department deputy sheriffs, were assigned to patrol at West Hollywood Station. The first deputy sheriff (driver) was driving a marked black and white patrol vehicle (2016 Ford Explorer) south on Fairfax Avenue in West Hollywood when they were involved in a traffic collision.</p> <p>The deputy sheriffs just completed a call for service at 1317 Fairfax Avenue in the city of West Hollywood when they received an additional non-emergent call for service on Melrose Avenue.</p> <p>The first deputy sheriff accelerated approximately 50 feet from the number two lane southbound curb line. The first deputy sheriff observed a southbound green light traffic signal on Fairfax Avenue as he proceeded at approximately 15-25 miles per hour into the intersection. The first deputy sheriff did not see the light had cycled from green to red before entering the intersection.</p> <p>Note: The first deputy sheriff did not have his overhead red lights operating as he entered the intersection. However, he still had the rear yellow directional light bar activated from his previous call for service at 1317 Fairfax Avenue.</p> <p>Simultaneously, the plaintiff was driving at approximately 35 miles per hour, in his 2015 Volkswagen Tiguan eastbound on Fountain Avenue in the number one lane when he entered the intersection. Both drivers were unable to stop or avoid each other, resulting in a traffic collision.</p> <p>The front end of the patrol vehicle collided with the driver's side of the plaintiff's vehicle. The plaintiff's vehicle sustained minor damage to the driver's side front bumper area. The patrol vehicle sustained moderate damage to the passenger front fender.</p> <p>Note: The second deputy sheriff (passenger) had his head down as he was placing his seatbelt on and was looking at some paperwork at the time of the incident and did not see the traffic signal's color.</p>

	<p>The plaintiff did not complain of any injuries at the time of the incident. Approximately, two-and-a-half weeks after the accident, on January 10, 2017, the plaintiff sought medical care for the pain in his neck, lower back, and knee due to the incident.</p> <p>Both deputy sheriffs were wearing their factory-installed seat belts at the time of this incident and were not injured due to the traffic collision.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

The **Department** root cause of this incident is the first deputy sheriff failed to stop at a red light and collided into the plaintiff's vehicle who had a green 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 investigators from the West Hollywood Station, Traffic Unit.

The collision investigation concluded the first deputy sheriff caused the collision as he failed to stop at a red light, in violation of California Vehicle Code section 21453(a) CVC.

Administrative Investigation
 This incident was investigated by representatives at West Hollywood 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 some of the deputy sheriff's actions were in violation of Department policy. Appropriate administrative action has been taken.

Traffic Collision Assessment Review
 As a result of this collision, an assessment of employee-involved traffic collisions was conducted from January 1, 2016, to December 31, 2019, at West Hollywood Station

The audit revealed the following:

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2016	15	10
2017	23	15
2018	21	13
2019	16	6

In an attempt to improve employee safety and reduce the Department's liability exposure, West Hollywood Station continually schedules personnel to attend the Department's Sheriff Traffic Accident Reduction (S.T.A.R.) driving program. This program focuses on low speed parking and starting maneuvers. The Emergency Vehicle Operations Center (EVOC) traffic simulator replicates driving Code-3 through crowded city conditions and reacting to various introduced hazards.

Since this incident, 15 West Hollywood Station employees have successfully completed the S.T.A.R. driving program and 10 employees have completed the EVOC driving simulator.

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

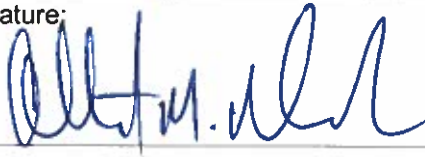
- Yes – The corrective actions address Department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain
Risk Management Bureau

Signature:



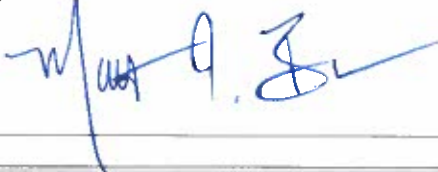
Date:

11/24/20

Name: (Department Head)

Matthew J. Burson, Chief
Professional Standards Division

Signature:



Date:

12/08/20

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:

12/9/2020

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

MINUTES OF MEETING

December 9, 2020

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Mark Waronek at 11:02 a.m. The meeting was held via-teleconference.

Present at the meeting were Claims Board Members: Mark Waronek, Chair; James Bozajian, North Division; Reva Feldman, At-Large; Lindsey Horvath, At-Large; Margaret Finlay, East Division; Mark Alexander, East Division; Patrick Kearney, Central Division; Ken Striplin, North Division; Jennifer Vasquez, Central Division; Marcel Rodarte; Ernie Hernandez, South Division; At-Large; **Alternate:** Steve Hofbauer, North Division; Kevin Chun, Central Division; John Moreno, South Division; Rob Wishner, East Division; Bryan Cook, At-Large; Michael Davitt, East Division; Gustavo Camacho, South Division; **County of Los Angeles Staff:** Elizabeth D. Miller, Assistant County Counsel; Adrian Gragas, Assistant County Counsel; Maxine Kallenberger, Los Angeles Sheriff's Department; Steve Gross, Los Angeles Sheriff's Department; Albert Maldonado, Los Angeles Sheriff's Department; **Attendees:** Karen Bartak, Bedford Falls Insurance; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims Manager, Carl Warren & Company; **California JPIA:** Jonathan Shull, Chief Executive Officer; Jim Thyden, Insurance Programs Manager; Paul Zeglovitch, Liability Program Manager; Veronica Ruiz, Agency Clerk.

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 11:05 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. Lewin, Kevin v. County, et al.
Los Angeles Superior Court Case No. BC 697359

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisor the settlement of this matter in the amount of \$125,000.

Vote: Ayes: 11 - Mark Alexander, James Bozajian,
Reva Feldman, Margaret Finlay, Patrick Kearney,
Lindsey Horvath, Ernie Hernandez, Jennifer
Vasquez, Ken Striplin, Marcel Rodarte,
Mark Waronek.

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

- a. Lim, Yong Ho, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 712286

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

Action Taken:

No reportable action taken

- b. Conference with Legal Counsel – Anticipated Litigation (Paragraph (2) of Subdivison (d) of Government Code section 54956.9)
Significant exposure to litigation (three cases)

Action Taken:

No reportable action taken

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 11:58 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 November 18, 2020, 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 - Mark Alexander, James Bozajian, Reva Feldman, Margaret Finlay, Patrick Kearney, Lindsey Horvath, Ernie Hernandez, Jennifer Vasquez, Ken Striplin, Marcel Rodarte, Mark Waronek.

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 11:59 a.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD



JAHIEL SAUCEDO