

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN PERSON AND VIA ONLINE CONFERENCE CALL
ON MONDAY, MAY 15, 2023, AT 9:30 A.M.

Present: Chair Steve Robles, Adrienne M. Byers, and Oscar Valdez

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 were on the public teleconference phone line to address the Claims Board.

3. **Closed Session – Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9 – Subdivision [a]).**

- a. **Oliver Maldonado v. County of Los Angeles, et al.
Los Angeles Superior Court Case Number 19STCV17688**

This dangerous condition lawsuit against the Department of Public Works alleges plaintiff suffered injuries after his bicycle was struck by a vehicle on Meyer Road in an unincorporated area of South Whittier.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.a. in the amount of \$250,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

[See Supporting Documents](#)

- b. **Lorena Martinez v. Seifu Sabhatu, et al.
Los Angeles Superior Court Case Number 22STCV00147**

This lawsuit arises from injuries plaintiff allegedly sustained in automobile accident involving an Aging and Disabilities Department employee.

Action Taken:

The Claims Board approved settlement of Item 4.b. in the amount of \$27,500.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

[See Supporting Document](#)

**c. Jesus Trujillo Ramos vs. County of Los Angeles, et al.
Los Angeles Superior Court Case Number 20STCV38350**

This lawsuit arises from injuries plaintiff allegedly sustained in automobile accident involving a Department of Mental Health employee.

Action Taken:

The Claims Board approved settlement of Item 4.c. in the amount of \$35,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

[See Supporting Document](#)

**d. Paula Manning v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV37328**

This lawsuit concerns allegations that a Probation Department employee was subjected to race discrimination, retaliation, and failure to prevent discrimination.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.d. in the amount of \$340,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

4. Approval of the Minutes of the April 17, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board continued the approval of the Minutes of the April 17, 2023, regular meeting to the following meeting.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Abstention: 1 – Oscar Valdez

[See Supporting Document](#)

5. Approval of the Minutes of the May 1, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board continued the approval of the Minutes of the May 1, 2023, regular meeting to the following meeting.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Abstention: 1 – Steve Robles

[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 an 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	Oliver Maldonado v. County of Los Angeles, et al.
CASE NUMBER	19STCV17688
COURT	Los Angeles Superior Court
DATE FILED	May 21, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	JOHN MONTEVIDEO, ESQ. DiMarco Araujo & Montevideo PLC
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This dangerous condition of public property lawsuit arose when Oliver Maldonado ("ePlaintiff") was injured when struck by a minivan driven by defendant Jesus Gonzalez (not a County employee) while Plaintiff crossed Meyer Road on his bicycle, at Fidel Avenue, in the unincorporated area of the County known as South Whittier. Plaintiff alleges Meyer Road, at the accident location, represents a dangerous condition of public property. Plaintiff 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	\$ 107,298
PAID COSTS, TO DATE	\$ 25,441



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:	April 18, 2018
Briefly provide a description of the incident/event:	On April 18, 2018, 13-year-old Oliver Maldonado was riding his bicycle northbound on the wrong side of Fidel Street when he entered the intersection with Meyer Road and his bicycle was struck by a vehicle driven by Jesus Gonzalez, traveling eastbound on Meyer Road. Subsequent to the collision, Mr. Gonzalez fled the scene on foot but was later apprehended. As a result of the collision, Oliver Maldonado sustained severe injuries.

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

The collision occurred due to Oliver Maldonado's negligence in the operation of his bicycle at night and the driver's inebriated condition.

According to the Traffic Collision Report, Oliver Maldonado caused the collision by riding his bicycle in violation of VC 21650.1; which states: "A bicycle operated on a roadway, or the shoulder of a highway, shall be operated in the same direction as vehicles are required to be driven upon the roadway."

Mr. Jesus Gonzalez was also in violation of the Vehicle Codes:

2001(a) – "Felony hit and run causing great bodily injury to another person."

23152(a) – "Misdemeanor driving while under the influence of an alcoholic beverage."

16028(c) – "Infraction failure to provide evidence of financial responsibility at the scene of the traffic collision."

2. Briefly describe recommended corrective actions:

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

Traffic Safety and Mobility Division reviewed the subject location as part of their January 2018 Traffic Engineering Report:

Highly visible "Yield Here to Pedestrian" signs and corresponding yield line pavement markings were installed in each direction of Meyer Road ten days prior to the collision, near the existing marked crosswalk and the intersection with Fidel Avenue. The signs were added to the Maintenance Management Inventory on March 29, 2018.

The installation of pedestrian-actuated flashing beacons for the existing marked crosswalk at the intersection of Meyer Road and Fidel Avenue was completed on January 23, 2019, and accepted for maintenance on February 13, 2019.

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) Michael J. Hays	
Signature: <i>M. J. Hays</i>	Date: 2/7/2023

Name: (Deputy Director) Steve Burger	
Signature: <i>SB</i>	Date: 2/8/2023

Name: (Department Head) Mark Pestrella	
Signature: <i>M. Pestrella</i>	Date: 2/22/23

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) Daniela Prowizor	
Signature:	Date: 3/2/2023

MH:psr
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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lorena Martinez v. Seifu Sebhatu, et al.
CASE NUMBER	22STCV00147
COURT	Los Angeles Superior Court
DATE FILED	January 3, 2022
COUNTY DEPARTMENT	Aging & Disabilities
PROPOSED SETTLEMENT AMOUNT	\$ 27,500
ATTORNEY FOR PLAINTIFF	Mark S. Sweet, Esq. Sweet Lawyers, LLP.
COUNTY COUNSEL ATTORNEY	Melissa McCaverty Deputy County Counsel
NATURE OF CASE	<p>The incident occurred on June 24, 2020, when Aging & Disabilities Department employee Seifu Sebhatu failed to yield to a red tri-light, entered the intersection and struck the 2015 Nissan Versa being driven by Plaintiff Lorena Martinez. Plaintiff claims she sustained severe injuries and damages from this incident.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement for \$27,500 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 7,304
PAID COSTS, TO DATE	\$ 3,244

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jesus Trujillo Ramos vs. County of Los Angeles, et al.
CASE NUMBER	20STCV38350
COURT	Los Angeles Superior Court
DATE FILED	October 6, 2020
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Richard A. Harting Harting, Simkins & Ryan LLP
COUNTY COUNSEL ATTORNEY	Melissa A. McCaverty Deputy County Counsel
NATURE OF CASE	<p>This incident occurred on October 10, 2018, when a third party's car was rear-ended by a Department of Mental Health County employee, which then rear-ended Mr. Trujillo's car. Mr. Trujillo claims he sustained severe injuries as a result of the accident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$35,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 11,615
PAID COSTS, TO DATE	\$ 4,905

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

APRIL 17, 2023

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:41 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members appearing in person and online for the teleconference meeting were: Chair Steve Robles, and Adrienne M. Byers. Oscar Valdez was absent.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Mark Lomax, Caroline Craddock, Edward Morrissey, Timothy Kral, Jessie Lee, Pouya Bavafa, and Pirjo Ranasinghe; Department of Public Works: David Gonzalez, and Christine Quirk; Sheriff's Department: Shanese Winfrey, Shawnee Hinchman, Thomas Kim, Tania Plunkett, Allen Castellano, and Jose Hernandez; Department of Health Services: Arun Patel, Roberto Avitia, Claudia Aguirre, Brad Spellburg; Sean Henderson; Department of Children and Family Services: Christina Lee; Outside Counsel: .

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 appeared in person or were on the public teleconference phone line to address the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision [a] of Government Code section 54956.9).

At 9:41 a.m., the Chair convened the meeting into closed session to discuss the items listed as 4(a) through 4(f).

4. Report of actions taken in Closed Session.

No members of the public were on the public teleconference phone line to hear the reportable actions of the Claims Board.

At 11:21 a.m., the Claims Board reconvened in open session via the public teleconference phone line and reported the actions taken in closed session as follows:

a. Non-Litigated Claim of Hailey K. Sholty

This claim alleges property damages caused by the release of storm water by the Department of Public Works; settlement is recommended in the amount of \$29,376.30.

Action Taken:

The Claims Board approved settlement of Item 4.a. in the amount of \$29,376.30.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**b. Jacqueline Cothran, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:21-cv-02882**

This lawsuit alleges federal civil rights violations and deliberate indifference by Sheriff's Department jail staff for the death of an inmate at Men's Central Jail.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.b. in the amount of \$400,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**c. Paul Chirico v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV00149**

This federal civil rights lawsuit alleges excessive force against Sheriff's Department staff at Men's Central Jail.

Action Taken:

The Claims Board approved settlement of Item 4.c. in the amount of \$35,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**d. Jane Doe V.L. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV47892**

This lawsuit alleges negligence against the Department of Children and Family Services for injuries plaintiff suffered while in foster care.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.d. in the amount of \$600,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**e. Pamela Mejia v. County of Los Angeles
Los Angeles Superior Court Case No. 20STCV088**

This lawsuit concerns allegations that a Department of Children and Family Services employee was subjected to failure to accommodate and failure to engage in the interactive process.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.e. in the amount of \$130,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**f. Yvonne Santos v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV03494**

This lawsuit concerns allegations that a Sheriff's Department employee was subjected to sexual harassment and retaliation.

Action Taken:

The Claims Board approved settlement of Item 4.f. in the amount of \$99,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

5. Approval of the Minutes of the April 3, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes of the April 3, 2023, regular meeting.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

6. Adjournment.

The meeting was adjourned at 11:23 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By *Derek Stane*
Derek Stane
Claims Board Secretary

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

MAY 1, 2023

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:37 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members appearing in person and online for the teleconference meeting were: Adrienne M. Byers and Oscar Valdez. Chair Steve Robles was absent.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Narbeh Bagdasarian, Edward Morrissey, Warren Wellen, Kevin Engelen, Richard Kudo, Adrian Gragas, Pouya Bavafa, Rosanne Wong, and Eduardo Montelongo; Department of Public Works: Richard Cataneda, Jack Husted, Robert Hartoonian, and Lance Grindle; Sheriff's Department: Shanese Winfrey, Shawnee Hinchman, Renatta Phillip, Lezlie Garcia, and Jose Mendoza; Department of Health Services: Arun Patel, Nickolay Teophilov, and Claudia Aguirre; Department of Children and Family Services: Christina Lee; Department of Parks and Recreation: Devyne Dawson, and Brian Mejia; Outside Counsel: Allen Thomas, and Christopher Pisano.

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 appeared in person or were on the public teleconference phone line to address 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., Adrienne M. Byers convened the meeting into closed session to discuss the items listed as 4(a) through 4(g).

4. Report of actions taken in Closed Session.

No members of the public were on the public teleconference phone line to hear the reportable actions of the Claims Board.

At 11:37 a.m., the Claims Board reconvened in open session via the public teleconference phone line and reported the actions taken in closed session as follows:

a. Non-Litigated Claim of Reginaldo Guzman-Serrato

This claim against the Department of Health Services alleges medical malpractice for injuries claimant suffered during a surgical procedure at High Desert Regional Health Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.a. in the amount of \$250,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

**b. Minako America Corporation dba Minco Construction v. County of Los Angeles
Riverside County Superior Court Case No. RIC1816838**

This lawsuit against the Department of Public Works alleges breach of contract involving a construction project in unincorporated Marina Del Rey.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.b. in the amount of \$4,080,170.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

**c. Deidre Lynette Ross v. County of Los Angeles
Los Angeles Superior Court Case No. 21STCV11204**

This dangerous condition lawsuit against the Department of Public Works alleges plaintiff suffered injuries after falling over an open utility box.

Action Taken:

The Claims Board approved settlement of Item 4.c. in the amount of \$70,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

**d. Erlinda Martinez Marquez, et al. v. Salvador Esquivel, Jr., et al.
Los Angeles Superior Court Case Number 20STCV48514**

This lawsuit arises from injuries plaintiff allegedly sustained in automobile accident involving a Sheriff's Department employee.

Action Taken:

The Claims Board approved settlement of Item 4.d. in the amount of \$40,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

**e. Jirair Agazarian v. Jenny Delgado, et al.
Los Angeles Superior Court Case Number 21STCV17130**

This lawsuit arises from injuries plaintiff allegedly sustained in automobile accident involving a Department of Children and Family Services employee.

Action Taken:

The Claims Board approved settlement of Item 4.e. in the amount of \$47,500.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

**f. Lorenza Ramirez vs. County of Los Angeles
Los Angeles Superior Court Case Number 20STCV098019**

This dangerous condition lawsuit against the Department of Parks and Recreation alleges plaintiff suffered injuries after a tree branch fell on her at a County park.

Action Taken:

The Claims Board approved settlement of Item 4.f. in the amount of \$45,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

g. Claim of Carl Kemp

This claim concerns allegations that a Department of Public Health employee was subjected to race discrimination and retaliation.

Action Taken:

The Claims Board did not approve Item 4.g.

Vote: Noes: 1 – Oscar Valdez
Abstention: 1 – Adrienne M. Byers
Absent: 1 – Steve Robles

5. Approval of the Minutes of the April 17, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board continued the approval of the Minutes of the April 17, 2023, regular meeting to the following meeting.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: 1 – Steve Robles

6. Adjournment.

The meeting was adjourned at 11:41 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By *Derek Stane*
Derek Stane
Claims Board Secretary