

**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, OCTOBER 20, 2008, AT 8:00 AM**

Present: Maria M. Oms, Rocky Armfield and John Krattli

**The following items were presented to the Claims Board for consideration and the Claims Board took actions as indicated in bold.**

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. Harrison T. v. Los Angeles Unified School District and Los Angeles County Department of Mental Health  
Case No. N2008040034

**This matter concerns allegations of deprivation of educational rights and mental health services by the Department of Mental Health; settlement is recommended in the amount of \$73,889.79.**

**Action Taken:**

**This Claims Board approved settlement of this matter in the amount of \$73,889.79.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

b. Claim of Carmen Flores

**This claim seeks compensation for property damage caused by a sewer backup; settlement is recommended in the amount of \$48,436.94.**

**Action Taken:**

**This Claims Board approved settlement of this matter in the amount of \$48,436.94.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

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. 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.**

6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Harrison T. v. Los Angeles Unified School District and Los Angeles County Department of Mental Health</u>
CASE NUMBER	California Special Education Hearing Office (Case No. N2008040034)
COURT	Not applicable
DATE FILED	March 28, 2008
COUNTY DEPARTMENT	Mental Health
PROPOSED SETTLEMENT AMOUNT	\$73,889.79
ATTORNEY FOR PLAINTIFF	Arlene Bell
COUNTY COUNSEL ATTORNEY	Andrea E. Ross Deputy County Counsel (213) 787-2310
NATURE OF CASE	The case involves a special education student, Harrison T., in the Los Angeles Unified School District ("LAUSD") who alleges deprivation, both procedurally and substantively, of (1) his educational rights, and (2) related services to which he was entitled. Specifically, parents requested reimbursement from both LAUSD and DMH for costs pertaining to expenses parents incurred from



## 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 16, 2007 to June 30, 2008
Briefly provide a description of the incident/event:	This case involves Special Education Student <i>H T</i> in the Los Angeles Unified School District who alleges deprivation, both procedurally and substantively, of (1) his educational rights, and (2) related services to which he was entitled. The case went through administrative mediation, the result of which was an agreement between the plaintiff, the school district, and Department of Mental Health ("DMH"). The settlement is two prong. There is an agreement between DMH and plaintiff regarding plaintiff's attorney fees of <b>\$3,000.00</b> . The second prong of the settlement was reimbursement to parents for their payments for room/board and mental health services provided to Student at Devereux Glenholme, Washington, Connecticut, an amount up to, but not to exceed <b>\$70,889.79</b> .

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


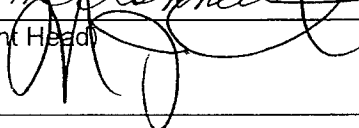
Parents assert unilateral right of residential placement of and repayment for out of pocket expenses for treatment of a special education student. Mediated administrative resolution.

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

None, since this is a compromise of parent's unilateral action.

3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 8-24-08
Signature: (Department Head) 	Date: 8/27/08

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Carmen Flores
CASE NUMBER	N/A
COURT	N/A
DATE FILED	March 5, 2008
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund - Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$48,436.94
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the home of Carmen Flores located in the City of La Mirada. A County sewer crew investigated the complaint and found that wastewater from a sewer mainline entered the home through drains in the kitchen and a master bathroom. The wastewater additionally intruded into the adjoining master bedroom, hallway, laundry room and dining area. The

County crew rodded the mainline and relieved a stoppage created by overgrown tree roots. The wastewater, however, caused additional damage to the walls, lower level furnishings and other personal property. The sewer mainline is maintained by the County as part of the Consolidated Sewer Maintenance District. Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement.

PAID ATTORNEY FEES, TO DATE           \$0

PAID COSTS, TO DATE                   \$300



## Summary Corrective Action Plan

### County of Los Angeles Department of Public Works

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.

Claim:	Carmen Flores
Date of incident/event:	February 27, 2008
Briefly provide a description of the incident/event:	<p>This is a sewage back-up that occurred at a residence at 15802 Algeciras Drive, La Mirada. The effluent caused damage to the master bedroom, guest bathroom, kitchen, dining room, and hallways and walls surrounding each room.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by tree roots between manhole numbers 188 and 187. Remediation under the Rapid Response Program was initiated.</p>

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

The cause of the sewer backup was a tree root blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on December 10, 2007.

County of Los Angeles Department of Public Works  
Summary Corrective Action Plan

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

The sewer main will be inspected with a closed-circuit television to determine the cause and prevent recurrence of a sewage back-up. The sewer main between Manhole Nos. 187 and 209 is on an 18-month foamer periodic schedule and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be on a semi-annual inspection program.

3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) <i>Pat Proano</i> Pat Proano	Date: <i>9/3/08</i>
Signature: (Director) <i>Dean D. Efstathiou</i> Dean D. Efstathiou (Acting Director)	Date: <i>9/25/08</i>