

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN PERSON AND ONLINE VIA VIDEO CONFERENCE

ON MONDAY, FEBRUARY 5, 2024, 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.**

An unidentified caller was on the public teleconference phone line and requested to hear the reportable actions of the Claims Board.

3. **Closed Session – Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)).**

a. Non-Litigated Claim of Juventino Jasso

This claim seeks compensation for personal injuries allegedly caused by an automobile accident involving a Department of Parks and Recreation employee.

Action Taken:

The Claims Board approved settlement of Item 3.a. in the amount of \$24,000.

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

[See Supporting Document](#)

b. Sanjiv Agrawal, Kusum Agrawal v. County of Los Angeles, et al.

This petition to rescind a sale of tax-defaulted property and resolve claims for damages alleging the Treasurer-Tax Collector wrongfully foreclosed on a 2005 tax sale.

Action Taken:

The Claims Board approved settlement of Item 3.b. in the amount of \$90,000.

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

[See Supporting Document](#)

c. **Aaron Esquenazi, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCP02885

This class action lawsuit against the Treasurer-Tax Collector alleges the department extraterritorially imposed and collected utility user tax in former unincorporated areas of the County that were annexed by incorporated cities.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.c. in the amount of \$310,000.

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

[See Supporting Document](#)

d. **Apartment Association of Los Angeles County, Inc. dba "Apartment Association of Great Los Angeles" et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. 22STCV08225

This lawsuit for injunctive relief involves the Chief Executive Office and the Department of Consumer and Business affairs and seeks compensation for attorney's fees in a housing dispute.

Action Taken:

The Claims Board approved settlement of Item 3.d. in the amount of \$75,000.

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

[See Supporting Document](#)

e. **Jerry Mostad v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV43700

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Department of Public Works employee.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.e. in the amount of \$2,750,000.

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

[See Supporting Documents](#)

**f. Anthony Espinoza v. Jeffrey Raymond Williams, et al.
Los Angeles Superior Court Case No. 21STCV14097**

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

Action Taken:

The Claims Board approved settlement of Item 3.f. in the amount of \$50,000.

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

[See Supporting Document](#)

**g. Olga Torres v. Cong Ha, et al.
Los Angeles Superior Court Case No. 21STCV09926**

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

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.g. in the amount of \$215,000.

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

[See Supporting Documents](#)

h. Non-Litigated Claims of Auto Club ASO Cuong Tang, Mo Chen, and Po Jui Su

These claims seek compensation for personal injury and property damage allegedly caused by an automobile accident involving a Sheriff's Department deputy.

Action Taken:

The Claims Board approved settlement of Item 3.h. in the amount of \$39,288.33.

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

[See Supporting Document](#)

**i. Juan Leon, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV36328**

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

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.i. in the amount of \$450,000.

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

[See Supporting Documents](#)

**j. Curtis Thomas v. County of Los Angeles
Los Angeles Superior Court No. 22STCV01146**

This lawsuit concerns allegations that an employee of the Department of Health Services was subjected to discrimination, harassment, and retaliation.

Action Taken:

The Claims Board approved settlement of Item 3.j. in the amount of \$100,000.

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

**k. Wendy Valdovinos v. County of Los Angeles
Los Angeles Superior Court No. BC680138**

This lawsuit concerns allegations that an employee of the Department of Public Social Services was subjected to disability discrimination, failure to engage in the interactive process, and failure to accommodate.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.k. in the amount of \$250,000.

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

**l. Jane Doe, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. 21STCV27868**

This lawsuit concerns allegations that two applicants for a Department of Children and Family Services intern program were subjected to disability discrimination and failure to accommodate.

Action Taken:

The Claims Board continued Item 3.l. to a special meeting on February 26, 2024.

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

4. Approval of the Minutes of the December 18, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes of the December 18, 2023, meeting.

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

[See Supporting Document](#)

- 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 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.

- 6. Adjournment.**

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Juventino Jasso
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 24,000.00
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	This claim involves personal injuries sustained when a Parks and Recreation vehicle collided with the claimant's vehicle. Due to the risks and uncertainties of litigation, a full and final settlement of the matter is warranted.
PAID ATTORNEY FEES, TO DATE	\$ -0-
PAID COSTS, TO DATE	\$ -0-

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Sanjiv Agrawal, Kusum Agrawal v. County of Los Angeles, et al.
CASE NUMBER	N/A
COURT	N/A
DATE FILED	Claims filed March 15, 2023
COUNTY DEPARTMENT	Treasurer and Tax Collector Assessor
PROPOSED SETTLEMENT AMOUNT	\$ 90,000
ATTORNEY FOR PLAINTIFF	Nathan R. Klein, Esq. Bradley Greenman, Esq. Gina Bazaz, Esq.
COUNTY COUNSEL ATTORNEY	Matthew Dill, Senior Deputy County Counsel
NATURE OF CASE	This is a recommendation to settle for \$90,000, a petition to rescind a sale of tax-defaulted property and resolve claims for damages alleging the County of Los Angeles ("County") wrongfully foreclosed and was negligent in a 2005 tax sale involving Assessor's Parcel Number ("APN") 8660-043-026 ("Subject Property"). Pursuant to the terms of the settlement, the County will pay \$90,000 to the tax sale purchaser of the Property in exchange for rescission of the tax deed.
PAID ATTORNEY FEES, TO DATE	\$ 35,698
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Aaron Esquenazi, et al. v. County of Los Angeles</u>
CASE NUMBER	19STCP02885
COURT	Los Angeles Superior Court
DATE FILED	July 10, 2019
COUNTY DEPARTMENT	Treasurer and Tax Collector
PROPOSED SETTLEMENT AMOUNT	\$ 310,000
ATTORNEY FOR PLAINTIFF	Prescott Littlefield, Esq. Eric Benink, Esq.
COUNTY COUNSEL ATTORNEY	Matthew Dill Government Services Division
NATURE OF CASE	<p>This is a recommendation to settle for \$310,000, a petition for writ of mandate and class action alleging the County extraterritorially imposed and collected utility user tax ("UUT") in former unincorporated areas of the County that were annexed by incorporated cities. Pursuant to the terms of the proposed settlement, the County will pay \$310,000 consisting of plaintiffs' attorneys' fees and service awards to plaintiffs.</p> <p>The County will require five service suppliers to refund their respective customers extraterritorially collected UUT for a total amount of approximately \$169,631 in exchange for credit on future remittances of UUT to the County.</p> <p>Given the damages and cost of further litigation, the full and final settlement amount of \$310,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 246,084
PAID COSTS, TO DATE	\$ 17,453

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Apartment Association of Los Angeles County, Inc. dba "Apartment Association of Greater Los Angeles" et al. v. County of Los Angeles</u>
CASE NUMBER	2:22-cv-02085 DDP(JEMx)
COURT	United States District Court - Central District of California
DATE FILED	March 7, 2022
COUNTY DEPARTMENT	Department of Consumer and Business Affairs
PROPOSED SETTLEMENT AMOUNT	\$ 75,000
ATTORNEY FOR PLAINTIFF	Douglas J. Dennington RUTAN & TUCKER, LLP
COUNTY COUNSEL ATTORNEY	Behnaz Tashakorian Principal Deputy County Counsel
NATURE OF CASE	This is a recommendation to settle for \$75,000, a dispute over prevailing party attorneys' fees in a case for declaratory and injunctive relief brought by Plaintiffs. Plaintiffs alleged the County's COVID-19 Tenant Protections Resolution ("Resolution") violated their members' federal civil rights under 42 U.S.C. § 1983 because the Resolution permitted tenants in the County of Los Angeles to qualify for emergency eviction protections, in part, by self-certifying that they were adversely affected by COVID-19.
PAID ATTORNEY FEES, TO DATE	\$ 146,590.09
PAID COSTS, TO DATE	\$ 944.20

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jerry Mostad v. County of Los Angeles, et al.
CASE NUMBER	20STCV43700
COURT	Los Angeles Superior Court
DATE FILED	November 13, 2020
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 2,750,000
ATTORNEY FOR PLAINTIFF	ROBERT P. SIEVERS, ESQ. Sievers Law Firm P.C.
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle intersection collision that occurred on February 1, 2020, in the City of Whittier, when a County owned Ford pickup truck driven eastbound on Slauson Avenue by an on-duty employee of the Department of Public Works entered the Slauson Avenue/Santa Fe Springs Road intersection against a red signal light and broadsided the passenger side of Jerry Mostad's ("Plaintiff's") Nissan sedan, which was traveling southbound on Santa Fe Springs Road and had a green signal light. 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	\$ 18,201
PAID COSTS, TO DATE	\$ 80,869

MOSTAD, JERRY



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:	February 1, 2020
Briefly provide a description of the incident/event:	On February 1, 2020, a Public Works Laborer with Road Maintenance Division was driving a County vehicle eastbound on Slauson Avenue when he entered an intersection on a red light. As a result, the employee collided with another vehicle traveling southbound on Santa Fe Springs Road. The Traffic Collision Report found the employee at fault for entering an intersection on a red light, which is in violation of California Vehicle Code Section 21453(a).

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


- A. The collision occurred due to the employee entering an intersection on a red light, which is in violation of California Vehicle Code Section 21453(a).
- B. The employee claimed the sun obstructed his view and, as a result, he failed to stop at the red light.


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


- 1. On November 16, 2020, the employee received a Written Reprimand memorandum.
- 2. On June 8, 2020, the employee completed the 8-hour Commercial Driver Brush-Up and Evaluation training.

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: (Acting Risk Manager) Jeffrey Howard	
Signature: 	Date: 12/5/2023

Name: (Deputy Director) Steve Burger	
Signature: 	Date: 12/28/23

Name: (Department Head) Mark Pestrella	
Signature: 	Date: 1/4/2024

AEN

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Daniela Prowizor	
Signature: 	Date: 1/8/2024

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Anthony Espinoza v. Jeffrey Raymond Williams, et al.
CASE NUMBER	21STCV14097
COURT	Los Angeles Superior Court
DATE FILED	April 14, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	MIKE ARIAS, ESQ. Arias Sanguinettie Wang & Torrijos, LLP
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This case involves a freeway collision that occurred on November 4, 2019, on southbound Interstate 5, just south of Olive Avenue, in the City of Burbank. A Sheriff's Department Ford Crown Victoria driven by a detective of the Sheriff's Department collided into the rear end of the Dodge Ram truck driven by Anthony Espinoza ("Plaintiff"). 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	\$ 15,747
PAID COSTS, TO DATE	\$ 21,549

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Olga Torres v. Cong Ha, et al.
CASE NUMBER	21STCV09926
COURT	Los Angeles Superior Court
DATE FILED	March 12, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 215,000
ATTORNEY FOR PLAINTIFF	MICHAEL A. KAHN, ESQ.
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This case arose from a multiple-vehicle accident that occurred on May 20, 2020, in the unincorporated area of the County near Hacienda Heights. A Sheriff's Department Sergeant was on duty and rolling Code 3, south on Hacienda Boulevard in his Sheriff's Department Ford Explorer with its siren and emergency lights activated. As the Sergeant drove through the Hacienda Boulevard/Colima Road intersection against a red signal light, the passenger side of his Ford was broadsided by the Toyota Avalon in which plaintiff Olga Torres was seated in the front passenger seat. 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	\$ 80,790
PAID COSTS, TO DATE	\$ 13,024



Summary Corrective Action Plan

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Date of incident/event:	May 20, 2020, at approximately 3:30 p.m.
Briefly provide a description of the incident/event:	<p>Summary Corrective Action Plan 2023-112</p> <p>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>Various investigative reports indicated, on May 20, 2020, at approximately 3:30 p.m., an on-duty Los Angeles County Sheriff's Department Sergeant, assigned to Industry Station, was driving Code-3 in a marked Sheriff's patrol vehicle south on Hacienda Boulevard. As he approached the four-way intersection of Colima Road in Hacienda Heights, he was involved in a traffic collision.</p> <p>Sergeant One was driving southbound on Hacienda Boulevard with his vehicle's lights and sirens on, as he responded to an assistance call for service. As he approached the intersection, there was a vehicle stopped at the intersection, he sounded his [airhorn] and the vehicle turned right onto westbound Colima Road. The Sergeant cleared lane-by-lane and began and proceeded to drive through the intersection from the right turn lane.</p> <p>The Plaintiff was the passenger in her daughter's (Driver Two) vehicle, who was driving eastbound on Colima Road, in the number one lane.</p> <p>The Plaintiff's daughter's vehicle struck the passenger side of the Sergeant's marked patrol vehicle, causing his vehicle to spin and collide with another vehicle (Driver Three), which was waiting in the northbound turn lane on Hacienda Boulevard (Driver Three is not part of this lawsuit).</p> <p>The Los Angeles County Fire Department responded to the collision. The Plaintiff was treated for her injuries sustained in the traffic collision and subsequently transported to the hospital for additional treatment.</p> <p>At the time of the collision, the Sergeant was wearing his seatbelt and complained of pain to his right side, elbow, and left hand as a result of the collision.</p> <p>The patrol vehicle and the Plaintiff's daughter's vehicle sustained major damage; both vehicles were towed from the scene.</p> <p>A Los Angeles County Sheriff's Department sergeant from Industry Station was notified of the traffic collision and responded to the location.</p> <p>The Sergeant authored a Supervisor's Report of Incident and Damage to County Vehicle investigation.</p>

	<p>California Highway Patrol Officers responded and completed a traffic collision investigation. Their investigation concluded the involved Sergeant was the primary cause of the collision by failing to yield the right-of-way to approaching traffic.</p> <p>The involved Sergeant's statement is based on the Supervisor's Report of Incident or Damage to County Vehicle:</p> <p>The Sergeant stated he was driving Code-3 (lights and sirens) on Hacienda Boulevard when he entered the intersection at Colima Road. The Sergeant stated he cleared both the left turning lane and the number one lane. As the Sergeant [attempted] to clear the number two lane, Driver Two collided with his patrol vehicle. The force of the collision caused the Sergeant's vehicle to collide with Driver Three.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

The sergeant failed to yield the right-of-way to approaching traffic.

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

Traffic Collision Investigation

The incident was investigated by the California Highway Patrol.

The collision investigation concluded the Sergeant was the primary cause of the collision by failing to yield the right-of-way to approaching traffic, in violation of California Vehicle Code section – 21800. (Exhibit A)

Supervisor's Report of Incident or Damage to County Vehicle

The incident was investigated by representatives of Industry Station to determine if any administrative misconduct occurred because of the traffic collision. The results of the investigation were presented for Department executive adjudication.

Executive evaluation found the collision was preventable and appropriate administrative action was taken.

The sergeant involved in this incident received additional training pertaining to the circumstances surrounding this incident.

Training Collision Assessment and Review

Industry Station conducted a review and assessment of all traffic collisions for calendar year 2018 through the end of 2022. The audit revealed there were 134 total collisions for this five-year period, 87 of which were classified as preventable and 47 classified as non-preventable.


During the audit, it was discovered there was a spike in 2019, with a reduction in the following years. Personnel who have been involved in more than one traffic collision are directed to attend Department training, such as the Sheriffs Traffic Accident Reduction Driving Program, Emergency Vehicle Operations, and the Alternatives to Discipline Driving Course.

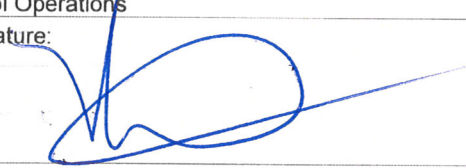
Calendar Year	Preventable Collisions	Non-Preventable Collisions
2018	13	12
2019	25	9
2020	16	9
2021	16	8
2022	17	8
TOTALS	87	47


Supervisors at Industry Station conducted briefing to all station personnel regarding abiding by all the rules of the road when operating county vehicles.

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)	
Shawnee N. Hinchman, Captain Risk Management Bureau	
Signature: 	Date: 01/03/24

Name: (Department Head)	
Myron Jonson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 1/18/24

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this Department.	
Name: Daniela Prowizor-Lacayo (Risk Management Inspector General)	
Signature: 	Date: 1/19/2024

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated Claims of Auto Club ASO Cuong Tang, Mo Chen, and Po Jui Su
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff – Detective Division – Homicide Bureau
PROPOSED SETTLEMENT AMOUNT	\$ 39,288.33
ATTORNEY FOR PLAINTIFF	Michael L. Yeung
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel Litigation Monitoring Team
NATURE OF CASE	These claims arise from a vehicle accident that resulted in bodily injury and property damage. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Juan Leon, et al. vs. County of Los Angeles, et al.
CASE NUMBER	21STCV3628
COURT	Los Angeles Superior Court
DATE FILED	October 1, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 450,000
ATTORNEY FOR PLAINTIFF	Michael Emrani, Esq. Emrani Lawyers, APLC
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Senior Deputy County Counsel
NATURE OF CASE	This case arises from a traffic collision that occurred involving Plaintiff Juan Leon and Los Angeles Sheriff's Department Deputy Victor Rodriguez. Given the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 125,016
PAID COSTS, TO DATE	\$ 15,803



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:	May 9, 2021
Briefly provide a description of the incident/event:	<p>Summary Corrective Action Plan 2023-98</p> <p>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>On Sunday, May 9, 2021, at approximately 2:51 a.m., an on-duty Los Angeles County Sheriff's deputy, assigned to Norwalk Station, was driving Code-3 as he traveled east on Imperial Highway. As he entered the intersection of Imperial Highway and Shoemaker Avenue, his vehicle collided with the Plaintiff's (sole occupant) vehicle, which was traveling south on Shoemaker Avenue. The Plaintiff struck the Deputy Sheriff's vehicle on the driver's side door of the patrol vehicle. The impact of the collision caused the Deputy Sheriff's vehicle to strike a metal light pole located on the southeast side of the intersection before coming to rest.</p> <p>The Los Angeles County Fire Department was requested to respond to the traffic collision location. Upon the arrival of Los Angeles County Fire Department personnel, they confirmed neither party was injured from the traffic collision.</p> <p>The field sergeant responded to the location and authored a Supervisor's Report of Incident or Damage to County Vehicle report. Additionally, a traffic deputy sheriff responded to the scene and authored a traffic investigation report.</p> <p>Whittier Police Department responded to the scene and completed a traffic collision investigation. The investigation concluded the Deputy Sheriff was the primary cause of the collision. The Deputy Sheriff was in violation of California Penal Code Section 21056 – Failing to drive an emergency vehicle in Code-3 with due regard for the safety of others on a highway.</p>

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

The **Department** root cause of this incident is the Deputy Sheriff failed to drive an emergency vehicle in Code-3 capacity with due regard for the safety of others on a highway.

The **Department** root cause of this incident is the Deputy Sheriff did not have on his seatbelt.

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 a representative from the Whittier Police Department.

The collision investigation concluded the Deputy Sheriff caused the collision as he failed to drive an emergency vehicle in Code-3 capacity with due regard for the safety of others on a highway, in violation of California Penal Code section – 21056.

Administrative Investigation

This incident was investigated by a representative at Norwalk 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. Appropriate administrative action was taken. The Deputy Sheriff involved in this incident received additional training pertaining to the circumstances surrounding this incident.

Traffic Collision Assessment and Review

As a result of this collision, an assessment of employees involved traffic collisions from January 1, 2017, to December 31, 2021, was conducted a traffic collision audit. The audit revealed the following:

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2017	23	10
2018	22	13
2019	24	13
2020	19	7
2021	10	10

98 preventable collisions occurred during the past five years.

27% of preventable collisions involved fixed objects or parked vehicles during low-speed parking or starting maneuvers.

The most common causal factor was unsafe starting or backing.

Based on the results of the audit, a comprehensive Traffic Collision Reduction Plan was developed and implemented at Norwalk Station in early 2016. Since the implementation of the Traffic Collision Reduction Plan there has been a noticeable reduction of on-duty preventable traffic collisions each year.

To improve employee safety and reduce the Department's liability exposure, Norwalk Station continually schedules personnel to attend the Department's Sheriff Traffic Accident Reduction (STAR) driving program. This program focuses on low-speed parking and starting maneuvers, hosted at the Los Angeles County Sheriff's Department's Emergency Vehicle Operations Center. Since this incident, several station employees have successfully completed the STAR driving program.

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

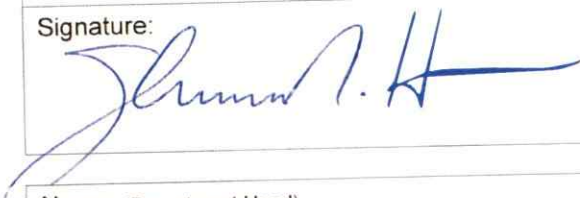
- ☐ Yes – The corrective actions address Department-wide system issues.
- ☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Shawnee N. Hinchman, Captain
Risk Management Bureau

Signature:



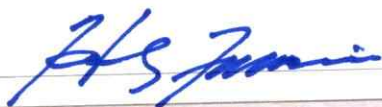
Date:

11/06/2023

Name: (Department Head)

Holly A. Francisco, Assistant
Countywide Operations

Signature:



Date:

11/9/23

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: Daniela Prowizor-Lacayo (Risk Management Inspector General)

Signature:



Date:

11/13/2023

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

December 18, 2023

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:35 a.m. The meeting was held virtually with Claims Board Members participating in person and online. Claims Board Members Chair Steve Robles, Adrienne M. Byers, and Oscar Valdez appeared in person and via video conference.

All other persons present at the virtual Claims Board meeting: Millicent Rolon, Edwin Lewis, Yuan Change, Kevin Engelen, and Kent Sommer appeared for the Office of the County Counsel. Shanese Winfrey, Renata Phillip, Tenaya Brown, and Daniel Holguin appeared for the Sheriff's Department. Ronald Castaneda, and Michele Chimienti appeared for the Department of Public Works. Julia Kim and Dennis Breshears appeared for the Fire Department. Kimberly Nall appeared for the Department of Mental Health. Christina Lee appeared for the Department of Children and Family Services. David Weiss, and Margaret Ikeda appeared for David Weiss Law. Geoffrey Sheldon appeared for Leibert, Cassidy, and Whitmore, LLP. Allen Thomas appeared for Thomas Law Firm Incorporated.

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 (Government Code section 54956.9, subdivision (a)).

At 9:35 a.m., Chair Steve Robles convened the meeting in closed session to discuss the items listed below as 4(a) through 4(g).

4. Report on Actions Taken in Closed Session.

No members of the public were present to hear the reportable actions of the Claims Board.

At 11:38 a.m., the Claims Board reconvened in open session via video conference and reported the actions taken in closed session as follows:

a. Cristina Calderon Rico v. County of Los Angeles, et al. United States District Court Case No. 2:22-CV-00038

This federal civil rights lawsuit concerns allegations of sexual assault by a Sheriff's Department employee while incarcerated at a detention facility.

Action Taken:

The Claims Board approved settlement of Item 4.a. in the amount of \$49,999.

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

b. Non-Litigated Claims of Bristol West ASO Syvia Rubio

This claim seeks compensation for property damage caused by an automobile accident involving a Sheriff's Department deputy.

Action Taken:

The Claims Board continued Item 4.b. to a future meeting.

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

c. Non-Litigated Claim of Tyler Fuller

This claim seeks compensation for property damage caused by an automobile accident involving a Sheriff's Department deputy.

Action Taken:

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

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

**d. Erwin Estuardo Gonzalez Rosas v. County of Los Angeles, et al.
Los Angeles Superior Court Case Number 21STCV31942**

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Fire Department employee.

Action Taken:

The Claims Board approved settlement of Item 4.d. in the amount of \$100,000.

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

**e. Mary Erichsen v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV14321**

This dangerous condition lawsuit arises from injuries allegedly sustained in a trip and fall accident on a sidewalk maintained by the Department of Public Works.

Action Taken:

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

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

**f. Sara Hough v. County of Los Angeles
Los Angeles Superior Court Case No. 18STCV09247**

This lawsuit concerns allegations that an employee of the Department of Mental Health was subjected to discrimination, harassment, and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.f. in the amount of \$1,650,000.

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

**g. Jane Doe, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. 21STCV27868**

This lawsuit concerns allegations that two employees from the Department of Children and Family Services were subjected to disability discrimination and failure to accommodate.

Action Taken:

The Claims Board continued Item 4.g. to a future meeting.

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

5. Approval of the Minutes for the December 4, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes of the December 4, 2023, meeting.

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

6. Adjournment.

The meeting was adjourned at 11:42 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By



Derek Stane
Claims Board Secretary