

**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, JUNE 7, 2010, AT 9:30 AM**

Present: John Naimo, Steven NyBlom 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. Cherise Sorbello v. County of Los Angeles, et al.
Orange County Superior Court Case No. 00119849

This lawsuit arises from injuries sustained in a motor vehicle accident involving an employee of the Sheriff's Department; settlement is recommended in the amount of \$30,000.

Action Taken:

The Claims Board continued this matter.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Lily Kwok v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 401 347

This lawsuit arises from an automobile accident involving an employee of the Sheriff's Department; settlement is recommended in the amount of \$60,000.

Action Taken:

The Claims Board continued this matter.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- c. Claim of Michael Cho

This claim seeks compensation for property damage caused by a sewer back up.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$29,028.94.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- d. Claim of Sandra Dixon

This claim seeks compensation for property damage caused by a sewer back up.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$98,655.34.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

e. Claim of the City of Paramount

This claim seeks compensation for property damage caused by a sewer back up.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$34,809.96.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

f. Claim of John Keats

This claim seeks compensation for property damage caused by a sewer back up.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$220,449.78 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Works' budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- g. Spencer B. v. Hart Union School District; Los Angeles County Department of Mental Health

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$47,500.

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. Approval of the minutes of the May 17, 2010, regular meeting of the Claims Board.

Action Taken:

The minutes for the meeting of May 17, 2010, regular meeting of the Claims Board were approved.

Absent: None

Vote: Unanimously carried

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	Cherise Sorbello v. County of Los Angeles, et al.
CASE NUMBER	00119849
COURT	Orange County Superior Court
DATE FILED	March 11, 2009
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 30,000.00
ATTORNEY FOR PLAINTIFF	Law Offices of Michael R. Cully & Associates
COUNTY COUNSEL ATTORNEY	Vicki Kozikoujekian Principal Deputy County Counsel (213) 974-8208
NATURE OF CASE	<p>On September 2, 2009, a Sheriff's Deputy, while in the course and scope of his employment, struck the front and rear passenger sides of Plaintiff's vehicle.</p> <p>Plaintiff claims that the Sheriff's Deputy negligently struck her vehicle, because he made an unsafe move on the freeway. The County claims that due to the cars in front of the Sheriff's Deputy abruptly stopping, he applied his brakes and swerved to the right to avoid a major collision.</p> <p>Due to the risks and uncertainties of litigation, the Sheriff's</p>

Department proposes a full and final settlement of the case in the amount of \$30,000.

PAID ATTORNEY FEES, TO DATE \$ 10,336.00

PAID COSTS, TO DATE \$ 6,915.62

Case Name: Cherise Sorbello v. County of Los Angeles, et al.



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:	Tuesday, September 2, 2008, at 9:51 a.m.
Briefly provide a description of the incident/event:	<p><u>Cherise Sorbello v. County of Los Angeles, et al.</u> (Summary Corrective Action Plan Number 2010-011)</p> <p>On Tuesday, September 2, 2008, at approximately 9:51 a.m., an on-duty Los Angeles County deputy sheriff was driving an unmarked vehicle west on SR-91, east of Coyote Creek, La Palma (County of Orange), when the vehicle he was driving collided with the plaintiff's vehicle.</p>

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

A public entity is responsible for the negligent acts of its employees when the acts are committed in the course and scope of employment.

As a result of this traffic collision, the plaintiff alleges injuries to her right knee, head, and soft tissue injury to her neck, back, and ribs.

The vehicle the plaintiff was driving, a 2003 Mercedes Benz E320, California License Number 5FQH436, sustained moderate damage.

The vehicle the deputy sheriff was driving, a 2008 Ford Crown Victoria, California License Number 1291100, sustained moderate damage.

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

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

This traffic collision was thoroughly investigated by representatives from the California Highway Patrol and Los Angeles County Sheriff's Department. Their investigations concluded that the deputy sheriff caused the traffic collision by violating California Vehicle Code Section 22107, Turning Movements and Required Signals, and California Vehicle Code section 21703, Following Too Closely.

County of Los Angeles
Summary Corrective Action Plan

The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

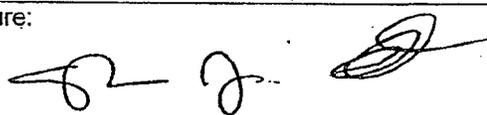
This summary corrective plan has no countywide implications (see #3 below).

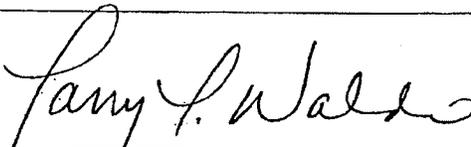
3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

Should be

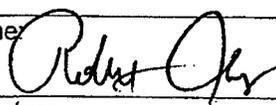
- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Acting Captain, Risk Management Bureau	
Signature: 	Date: 3/31/10

Name: (Department Head) Larry L. Waldie, Undersheriff	
Signature: 	Date: 04-02-10

Chief Executive Office Risk Management Branch

Name: 	
Signature: Robert Chavez	Date: 4/27/10

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lily Kwok v. County of Los Angeles, et al.
CASE NUMBER	BC401347
COURT	Los Angeles Superior Court
DATE FILED	01/09/2008
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 60,000
ATTORNEY FOR PLAINTIFF	Paul S. Zuckerman, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	On January 9, 2008, at approximately 5:10 p.m. Lily Kwok was traveling in the westbound number one lane on Sunset Boulevard towards its intersection with Elysian Park Avenue, City of Los Angeles. At the same time, a Sheriff's patrol unit was traveling directly behind Mrs. Kwok's vehicle. As Mrs. Kwok slowed and then stopped for a red traffic signal in her direction, the Sheriff's deputy also attempted to slow. The deputy, however, was unable to stop the patrol unit in time before it collided into the rear of Mrs. Kwok's vehicle.

As a result of the collision, Mrs. Kwok sustained soft tissue injuries to her neck, shoulder and lower back. She claims radiating pain to her lower extremities and had to undergo several diagnostic studies before resorting to corrective surgery. While somewhat improved, she continues to experience soft tissue pain in her left leg, low back and cervical spine areas.

Mrs. Kwok filed suit against the County and its Sheriff's deputy contending motor vehicle negligence and vicarious liability.

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 with the plaintiff.

PAID ATTORNEY FEES, TO DATE	\$	54,919
PAID COSTS, TO DATE	\$	19,681

Case Name: Kwok v. County of Los Angeles, et al.



Summary Corrective Action Plan

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Date of incident/event:	Wednesday, January 9, 2008, 5:10 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Kwok v. County of Los Angeles, et al.</u> (Summary Corrective Action Plan Number 2010-010)</p> <p>On Wednesday, January 9, 2008, at approximately 5:10 p.m., an on-duty Los Angeles County deputy sheriff was driving a standard black and white patrol vehicle west on Sunset Boulevard, east on Sunset Boulevard, Los Angeles, when the vehicle he was driving collided with the plaintiff's vehicle.</p>

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

A public entity is responsible for the negligent acts of its employees when the acts are committed in the course and scope of employment.

As a result of this traffic collision, the plaintiff alleges injuries to her neck, shoulder, and back.

The plaintiff's vehicle, a 1996 Toyota Camry, California License Number 3BRN997, sustained minor damage.

The patrol vehicle, a 2006 Ford Crown Victoria, California License Number 1149352, sustained moderate damage.

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

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

This traffic collision was thoroughly investigated by representatives of the Los Angeles County Sheriff's Department. Their investigation concluded that the driver of the patrol vehicle caused the collision by violating California Vehicle Code Section 22350, Basic Speed Law.

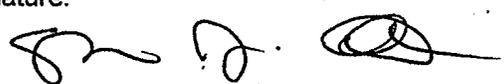
The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

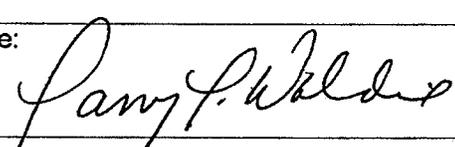
This summary corrective action plan has no countywide implications (see #3 below).

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)

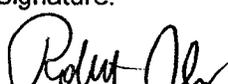
- ^{re} Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Acting Captain, Risk Management Bureau	
Signature: 	Date: 3/29/10

Name: (Department Head)	
Larry L. Waldie, Undersheriff	
Signature: 	Date: 03/30/10

Chief Executive Office Risk Management Branch

Name:	
Robert Chavez	
Signature: 	Date: 04-07-10

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Michael Cho
CASE NUMBER	N/A
COURT	N/A
DATE FILED	December 4, 2008
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund – Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$ 29,028.94
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the residence of Michael Cho located in the City of Rancho Palos Verdes. A County sewer crew investigated the complaint and found that wastewater from a sewer main line manhole entered the home due to a blockage in the sewer main line. The wastewater affected the walls, structure and floors. The County crew rodded the mainline and relieved a stoppage created by tree roots. The sewer mainline is maintained by the County as part of the Consolidated Sewer



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:	Michael Cho
Date of incident/event:	November 26, 2008
Briefly provide a description of the incident/event:	<p>This was a sewage backup that occurred at the claimant's residence located on 6644 Monero Drive in the City of Rancho Palos Verdes. The effluent flooded various rooms throughout the residence. Effluent also overflowed from a private cleanout in front of the residence necessitating cleanup.</p> <p>On the day of the incident, the claimant contacted the City of Rancho Palos Verdes regarding a plumbing problem. Public Works received the service request the following day, November 27, 2008, and responded that same day. Our Sewer Maintenance Division crew confirmed the existence of a mainline blockage between Manhole Nos. 33 and 37. The crew broke down a root stoppage and the line was left flowing normally.</p>

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

On December 2, 2008, SMD performed a closed-circuit television inspection of the mainline. Based on their findings, the sewer backup was likely caused by roots protruding into the sewer main line from a private sewer lateral located at 6649 Monero Drive.

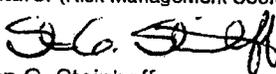
County of Los Angeles Department of Public Works
Summary Corrective Action Plan

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

To prevent future similar incidents, this segment of the mainline was placed on a quarterly hydro periodic. The mainline will remain on this schedule until it is no longer necessary as determined by maintenance personnel. The mainline will also continue to be inspected semi-annually, as part of the Preventive Maintenance Program. SMD also delivered a written notice to the homeowner(s) of 6649 Monero Drive informing them that their private lateral should be maintained in proper operating condition and kept free of roots.

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

Signature: (Risk Management Coordinator)  Steven G. Steinhoff	Date: 10/04/09
Signature: (Director) Gail Farber 	Date: 10-7-09

YTL:psr
P4:VCHO SCAP1


Robert Chavez

5/11/10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Sandra Dixon
CASE NUMBER	N/A
COURT	N/A
DATE FILED	September 8, 2008
COUNTY DEPARTMENT	Public Works Special District General Liability Trust fund – Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$ 98,655.34
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the residence of Sandra Dixon located in the City of La Cañada Flintridge. A County sewer crew investigated the complaint and found that wastewater from a sewer main line manhole entered the home due to a blockage in the sewer main line. The wastewater affected the dining room, kitchen, den, and living room hallway and floors. The County crew rodded the mainline and relieved a stoppage created by tree roots. 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, and 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
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PAID COSTS, TO DATE	\$	0
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Summary Corrective Action Plan
County of Los Angeles Department of Public Works

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Claim/Lawsuit: Date of incident/event:	Sandra Dixon September 8, 2008
Briefly provide a description of the incident/event:	This is a sewage backup that occurred at 707 Starlight Heights Drive, in the City of La Canada Flintridge. The effluent caused damage to the interior of the residence as well as personal property. Public Works responded and the Sewer Maintenance crew confirmed the existence of a main sewer line blockage created by overgrown tree roots between Manhole Nos. 87 and 88. Remediation under the Rapid Response Program was initiated.

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

The cause of the sewer back up was a tree root blockage of the main sewer line.

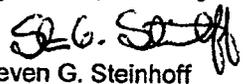
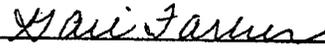
2. Briefly describe recommended corrective actions:
 (Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

This segment of the main sewer line was placed on a quarterly rodder periodic schedule to prevent future blockages and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be inspected on a semi-annual basis.

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

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 a Countywide implication.
- 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 Countywide or other department implications.

Signature: (Risk Management Coordinator)  Steven G. Steinhoff	Date: 10/05/09
Signature: (Director) Gail Farber 	Date: 10-7-09

RS:psr
P4:ADIXON SCAP


Robert Chavez

4/30/09

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of City of Paramount
CASE NUMBER	N/A
COURT	N/A
DATE FILED	June 11, 2007
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund – Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$ 34,809.96
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup in the basement of City Hall in the City of Paramount. A County sewer crew investigated the complaint and found that wastewater from a sewer mainline entered the public building through a drain in the basement, resulting in flooding approximately 6-8 inches high. The wastewater damaged the building's heating, ventilation and air conditioning system and contaminated the electrical system panels and other equipment. The County crew rodded the mainline and relieved a

stoppage created by overgrown roots. 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 \$ 0



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

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Claim/Lawsuit:	City of Paramount
Date of incident/event:	June 5, 2007
Briefly provide a description of the incident/event:	<p>This is a sewage back-up that occurred at 16400 Colorado Avenue, in the City of Paramount. The claim states a blocked County sewer line caused sewage to back up into the basement of Paramount City Hall and flood the air conditioner and other mechanical equipment.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by a tree root stoppage between Manhole Numbers 145 and 122. Remediation under the Rapid Response Program was initiated.</p>

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

A tree root stoppage in the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on April 10, 2007.

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

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

The segment of main line was placed on a 90-day rodder schedule to prevent future blockages 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>	Date: <i>12/9/08</i>
Pat Proano	
Signature: (Director) <i>Gail Farber</i>	Date: <i>12-22-08</i>
Gail Farber (Director)	

PAC
12-18-08

Robert Olney
Robert Chavez
 CEO RMIG
4/30/10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Jon Keates
CASE NUMBER	N/A
COURT	N/A
DATE FILED	March 24, 2009
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund – Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$ 220,449.78
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer backup at the residence of Jon Keates located in Altadena. A County sewer crew investigated the complaint and found that sewage from a sewer mainline entered the home because of an unexpected pressure surge following the clearance of a downflow tree root blockage. The sewage affected the walls, structure and floors and personal property. The County crew rodded the mainline and returned the conditions to normal. 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, and 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 \$ 600



Summary Corrective Action Plan

County of Los Angeles Department of Public Works

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Claim/Lawsuit:	Jon Keates
Date of incident/event:	March 13, 2009
Briefly provide a description of the incident/event:	<p>This was a sewage backup that occurred at 1281 Sunny Oaks Circle, in the unincorporated Altadena area. The effluent caused damage to the interior of the residence as well as personal property.</p> <p>Public Works responded and the Sewer Maintenance crew confirmed the existence of a main sewer line blockage created by overgrown tree roots between Manhole Nos. 240 and 241. 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 due to a sudden release of wastewater after a tree root blockage was removed from the main sewer line. The steep sewer slope and right angle turn at Manhole No. 242 caused a large volume of wastewater to surge into the claimant's residence.

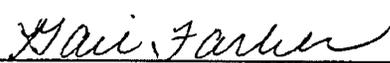
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

This segment of the main sewer line was inspected with a closed-circuit television to assess the condition of the line. Based on the results of the inspection, the main sewer line was placed on a bi-monthly hydro periodic schedule to prevent future blockages. The main sewer line will remain on this schedule until it is no longer necessary as determined by maintenance personnel and will continue to be inspected on a semi-annual basis.

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

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 a Countywide implication.
- 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 Countywide or other department implications.

Signature: (Risk Management Coordinator)  Steven G. Steinhoff	Date: 10/05/09
Signature: (Director)  Gail Farber	Date: 10-28-09.

MPA RS:psr
P4:KEATES SCAP

Robert Chavez
CEO RMISG

4/30/10

**DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN**

CLAIM OF: Jon Keates

INCIDENT DATE: March 13, 2009

INCIDENT LOCATION: 1281 Sunny Oaks Circle

RISK ISSUE:

The County may be liable in Inverse Condemnation if a public improvement, operating as intended, is a substantial factor in causing damage to private property.

INVESTIGATIVE REVIEW:

The main sewer line at this location is maintained by the County under the Consolidated Sewer Maintenance Districts (CSMD).

On March 13, 2009, the main sewer line located at 1281 Sunny Oaks Circle, in the unincorporated Altadena area, became blocked, which caused wastewater to back up in the sewer collection system. Sewer Maintenance Division (SMD) was notified and a SMD crew responded to the location. Upon arrival, the SMD crew observed that the wastewater level in Manhole No. 238 of Sewer Maintenance District Map E-1960 was high but not overflowing. The SMD crew cleaned the main sewer line between Manhole Nos. 240 and 241 and broke down a root stoppage. The main sewer line was left flowing normally.

Shortly after cleaning the main sewer line, the SMD crew was notified by the Fire Department of a floodout at the claimant's residence. The crew responded to the location and observed signs of the floodout, which occurred as a result of a water surge after the root stoppage in the main sewer line was broken down. The steep sewer slope and right angle turn at Manhole No. 242 caused a large volume of wastewater to surge into the claimant's residence.

POLICY ISSUES:

The CSMD's maintenance program consists of regular semi-annual inspections of the sewer system and appurtenances combined with periodic cleaning, repair, and related work as necessary to keep the collection system operating as designed.

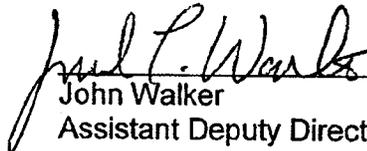
DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN

CORRECTIVE ACTION:

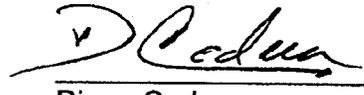
A copy of Section 710 of the Los Angeles County Plumbing Code was delivered to 1281 Sunny Oaks Circle, informing the property owner(s) that a backflow valve should be installed at the residence and maintained in a safe and sanitary operating condition.

This segment of the main sewer line was inspected with a closed-circuit television to assess the condition of the line. Based on the results of the inspection, the main sewer line was placed on a bi-monthly hydro periodic schedule at an annual cost of \$2,400, to prevent future blockages. The main sewer line will remain on this schedule until it is no longer necessary as determined by maintenance personnel and will continue to be inspected on a semi-annual basis.

Reviewed & Recommended

 9/30/09
John Walker Date
Assistant Deputy Director

Approved

 10/22/09
Diego Cadena Date
Deputy Director

RS:psr
P4:KEATES CAP

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Spencer B. v. Hart Union School District and Los Angeles County Department of Mental Health
CASE NUMBER	N2009080035
COURT	Not applicable
DATE FILED	January 23, 2009
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$47,500
ATTORNEY FOR PLAINTIFF	Newman.Aaronson.Vanaman.
COUNTY COUNSEL ATTORNEY	Andrea E. Ross Senior Deputy County Counsel (213) 787-2310
NATURE OF CASE	The case involves a special education student, Spencer B., in the Hart Union School District ("HUSD"), who alleges deprivation, both procedurally and substantively, of (1) his educational rights, and (2) related services to which he was entitled. Specifically, Spencer's parents ("Parents") requested reimbursement from both HUSD and DMH for costs pertaining to expenses Parents incurred for aide services for Spencer. A mediation was held and resolution was reached whereby DMH agreed to reimburse Parents for a

portion of both their attorney's fees
and aide services costs.

PAID ATTORNEY FEES, TO DATE \$0.00

PAID COSTS, TO DATE \$0.00



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:	2009-2010 School Year
Briefly provide a description of the incident/event:	This case involves Special Education Student Spencer B. in the William S. Hart Union School District ("HUSD") 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 among plaintiff, the school district, and the Department of Mental Health ("DMH"). There is an agreement among DMH, HUSD and parents regarding reimbursement to parents for partial payment of one-to-one aide services (\$17,500.00) and a portion of plaintiff's attorney fees (\$30,000.00). As this total amount is above County Counsel's delegated authority, we are seeking approval from the Claims Board.

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

On October 26, 2005, DMH recommended residential placement as necessary for Spencer to benefit from his special education program. Spencer was in a residential placement until April 27, 2009 when Chileda Institute ("Chileda") in La Crosse, Wisconsin, discharged Spencer due to a behavioral incident.

However, prior to Spencer's discharge, on or about January 23, 2009 parents filed a due process complaint alleging, among other things, that Spencer was being denied a free and public education in the least restrictive environment and that Spencer's rights were being violated by HUSD and DMH's failure to develop and implement a transition plan for Spencer to return home. On or about March 31 2009, this complaint settled. As part of the settlement, DMH agreed to enter into contract negotiations with Institute of Applied Behavioral Analysis ("IABA") to provide Medi-Cal certified therapeutic behavioral services ("TBS") for Spencer. Unfortunately, on or about December 20, 2009, IABA gave notice that it would not be pursuing a contract with DMH.

Once it was apparent that IABA would not be providing the services set forth in the Settlement Agreement, this matter was scheduled for a due process hearing and a mediation. Spencer is a difficult special education student with mental health needs, who was entitled under State and

federal laws to appropriate levels of services, including mental health services, in order to enable him to access and benefit from his special education program. Given the current state of special education law, especially as interpreted by the courts, it would have been very difficult for DMH and the school district to have prevailed in the administrative hearing and any subsequent court review. Resolving this case prior to an administrative hearing greatly reduced the total compensatory damages and related costs and fees, including attorneys fees, that would have been incurred had the matter proceeded to hearing.

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

None identified since the reason the prior agreement fell through was due to IABA declining to enter into a County contract.

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 for assistance)

- Potentially has County-wide implications.
- Potentially has an implication 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.

Name: (Risk Management Coordinator) <i>Mary Ann O'Donnell</i>	
Signature: <i>Mary Ann O'Donnell</i>	Date: <i>5-5-10</i>

Name: (Department Head)	
Signature: <i>[Signature]</i>	Date: <i>5-6-10</i>

Chief Executive Office Risk Management

Name: <i>Robert Chavez</i>	
Signature: <i>Robert Chavez</i>	Date: <i>5/11/10</i>

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

May 17, 2010

1. Call to Order.

This regular meeting of the County of Los Angeles Claims Board was called to order at 9:33 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Steven NyBlom, and John F. Krattli.

Other persons in attendance at the meeting were: Office of the County Counsel: Brian Chu, Melissa McCaverty, Stephen R. Morris, and Narbeh Bagdasarian; Sheriff's Department: Lt. Patrick Hunter; Probation Department: Cal Remington and Tracy Jordan-Johnson; Department of Health Services: Stephanie Hall, M.D., Kim McKenzie, Bonnie Bilitch, Chris Arevalo, Shawn McGowan, Carmel Kadrnka, F. Villacorte, and Linda Felix; Office of Affirmative Action: Hayward Harris, Jr.; Outside Counsel: Avi Burkwitz.

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 9:35 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(d).

4. Report of actions taken in Closed Session.

At 12:07 p.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

- a. Lily Kwok v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 401 347

This lawsuit arises from an automobile accident involving an employee of the Sheriff's Department; settlement is recommended in the amount of \$60,000

Action Taken:

The Claims Board continued this item.

The vote of the Claims Board was unanimous with all members being present.

- b. William Steinberg, et al. v. Los Angeles County Sheriff's Department, et al.
Los Angeles Superior Court Case No. MC 020 218

This lawsuit arises from an automobile accident involving an employee of the Sheriff's Department.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$145,000.

The vote of the Claims Board was unanimous with all members being present.

- c. Lettisse R. Bell v. County of Los Angeles
Los Angeles Superior Court Case No. BC 407 847

This lawsuit concerns allegations that the Probation Department failed to engage in an adequate interactive process and did not provide reasonable accommodation for an employee's disability. (Continued from the meeting of May 3, 2010.)

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.

The vote of the Claims Board was unanimous with all members being present.

- d. Tremayne Cole, Sr., and Shemeshia Page v. County of Los Angeles
Los Angeles Superior Court Case No. VC 052 024

This medical negligence/wrongful death lawsuit arises from treatment received by a patient at LAC+USC Medical Center, after being transferred from Los Padrinos Juvenile Hall; settlement is recommended in the amount of \$400,000.

Action Taken:

The Claims Board continued this item.

The vote of the Claims Board was unanimous with all members being present.

5. Approval of the minutes for the May 3, 2010, regular meeting of the Claims Board.

The minutes of the May 3, 2010, regular meeting of the Claims Board were approved.

The vote of the Claims Board was unanimous with all members being present.

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.

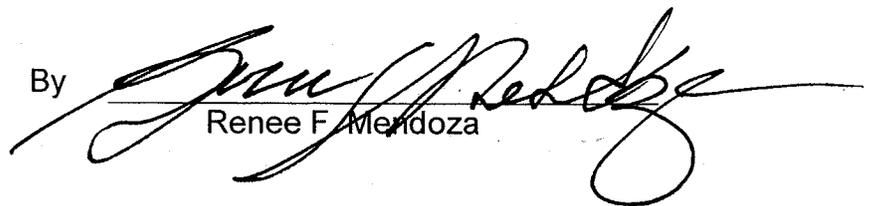
No such matters were discussed.

7. Adjournment.

The meeting was adjourned at 12:20 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By


Renee F. Mendoza