

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, MARCH 19, 2018, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Roger Granbo.

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. **Atziri Olivo, et al. v. County of Los Angeles, et al
Los Angeles Superior Court Case No. BC 502 929**

This dangerous condition lawsuit arises from injuries sustained by a toddler when she stepped into a fire ring on Dockweiler Beach.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$985,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

- b. **James Good v. County of Los Angeles, et al.
United States District Court Case No. CV 15-04290**

This lawsuit alleges Plaintiff's federal civil rights were violated when he was falsely arrested by Sheriff's Deputies for possession of methamphetamine.

Action Taken:

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

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

c. **Ranie Riley v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 588 749

This lawsuit alleges that an employee from the Department of Mental Health was subjected to racial discrimination, harassment and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$300,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

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 March 5, 2018, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[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 | Atziri Olivo, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | BC502929 |
| COURT | Los Angeles Superior Court |
| DATE FILED | March 13, 2013 |
| COUNTY DEPARTMENT | Department of Beaches and Harbors |
| PROPOSED SETTLEMENT AMOUNT | \$ 985,000 |
| ATTORNEY FOR PLAINTIFF | Sanford Jossen, Esq. |
| COUNTY COUNSEL ATTORNEY | Michael J. Gordon, Deputy County Counsel |
| NATURE OF CASE | <p>On July 15, 2011, Plaintiff Jaelene Salinas suffered severe burns to her feet and hand when she stepped into a fire ring at Dockweiler Beach while playing without adult supervision. At the time, her mother Plaintiff Atziri Olivo was preparing her lunch about twenty feet away. Plaintiffs allege the fire ring was in a dangerous condition because of "confusing" signage which prohibited fires "on the beach" and allege a "basketball-sized" chunk of the fire ring was missing allowing Miss Salinas, a toddler, to walk directly into the fire ring which contained hot coals and embers that were partially concealed beneath the sand.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$985,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 391,025 |
| PAID COSTS, TO DATE | \$ 67,154 |



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: | July 15, 2011 |
| Briefly provide a description of the incident/event: | <p>Location of the incident: Dockweiler State Beach, 12000 Vista del Mar, Playa del Rey, CA 90293</p> <p>On July 15, 2011, a toddler suffered severe burns to her feet as a result of climbing in a fire ring at Dockweiler State Beach. The toddler was at the beach with her family, including her mother and grandmother, and was playing unsupervised next to a fire ring in the fire ring area. She climbed into the fire ring and sustained severe burns to her feet, as the fire ring contained hot materials from previous usage.</p> |

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

1. The fire rings are low to the ground and the beach is accessible 24-7.
2. Hot coals or fire remnants are not always readily ascertainable and can remain hot for a lengthy period, especially if covered with sand.
3. Non-Department Root Cause - The toddler was playing unsupervised next to a fire ring.

2. Briefly describe recommended corrective actions:

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

June-July 2015 – New fire rings were ordered and placed on the beach with warnings in red on the sides reading "CAUTION HOT COALS" in the top line and "ALLOW FIRES TO BURN OUT" in the second line. Also, the warning contains the rendering of a flame/fire (see attached pictures). The design was approved by County Counsel.

April 2017 – Signage was placed at the beach entrance and at intervals on the beach visually showing a foot ready to step into a fire ring with the writing "CAUTION HOT ASHES" (on the rendered fire ring) and "DO NOT STEP IN FIRE PITS" crossed by a red line (see attached pictures). Signage design was approved by County Counsel.

April 2018 – The Department will conduct an investigation of the beach fire rings in consultation with the CEO's Risk Management Loss Control and Prevention Unit, an insurance consultant with subject matter expertise in fire and burn-related injuries/incidents, and County Counsel. This investigation will include, but not be limited to, a review of fire ring design, height, accessibility, and location/placement, as well as options to limit the Department's risks of liability and financial exposure.

December 2018 – The Department will propose changes to the County Code Section 17.12.370 - Fires Prohibited, to include a prohibition on extinguishing fires with sand.

County of Los Angeles
Summary Corrective Action Plan

January 2019 -- In 2017, the Department sponsored legislation (SB 720) to obtain immunity from civil liability for operating beach fire rings similar to the immunity that public entities have for operating dog and skate parks. The Department recently received word that SB 720 will not be re-introduced with the same subject matter in 2018. The Department will continue efforts to ultimately secure passage of State legislation providing the County with protection from liability merely for making the fire rings available.

The person responsible for implementing additional signage and ordering redesigned fire rings was Kenneth Foreman, Chief of Operational Services Division.

The person responsible for coordinating the investigation/review of the fire rings, sponsoring of legislation and for changes to the County Code is Stefan Popescu, Department's Legislative Analyst.

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 Management Coordinator)
Stefan D. Popescu

Signature:



Date:

12/14/2017

Name: (Department Head)
GARY JONES

Signature:



Date:

12-18-17

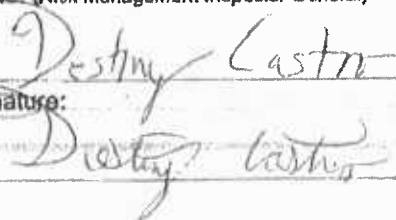
Chief Executive Office Risk Management Inspector General USE ONLY

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)

Signature:



Date:

12/19/2017

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | James Good v. County of Los Angeles, et al. |
| CASE NUMBER | CV 15-04290 |
| COURT | United States District Court |
| DATE FILED | June 8, 2015 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 200,000 |
| ATTORNEY FOR PLAINTIFF | Yana Henriks, Esq. McMurray Henriks, LLP |
| COUNTY COUNSEL ATTORNEY | Timothy J. Kral Principal Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$200,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by James Good alleging he was falsely arrested in April 2014 for possession of methamphetamine.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs; therefore, a full and final settlement of the case in the amount of \$200,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 176,915 |
| PAID COSTS, TO DATE | \$ 12,268 |

Case Name: James Good 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: | April 1, 2014 |
| Briefly provide a description of the incident/event: | <p><u>James Good v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2017-57</p> <p>On April 1, 2014, at approximately 3:08 AM, two deputy sheriffs were on patrol in their marked black-and-white patrol vehicle in South Los Angeles. In front of 1039 West 122nd Street, they observed the plaintiff sitting inside a car, parked along the curb with the engine running. The deputy sheriffs observed the plaintiff holding what appeared to be an alcoholic beer can in his right hand. The deputy sheriffs stopped their patrol car, "side by side" next to the plaintiff's vehicle and exited to make contact with the plaintiff regarding an open container investigation. The first deputy sheriff approached the driver's door and the second deputy sheriff approached the passenger side.</p> <p>The deputy sheriffs determined the plaintiff was holding an open "Miller Lite" beer can. As the deputy sheriffs spoke to the plaintiff, the second deputy sheriff (passenger side) used his flashlight to illuminate the interior of the plaintiff's vehicle and saw what appeared to be an off-white crystalline substance resembling methamphetamine on the hard plastic center console of the rear seat.</p> <p>To further investigate the possible methamphetamine, the deputy sheriffs asked the plaintiff to exit his vehicle. As the plaintiff stepped out, he spontaneously stated, "I'm scared you're going to find drugs in my car because I drive people around a lot." They detained the plaintiff pending a narcotics investigation.</p> <p>Upon further inspection, the deputy sheriffs determined the crystalline substance appeared to be methamphetamine. The plaintiff was arrested for possession of methamphetamine. The substance was collected and booked as evidence. The plaintiff's vehicle was secured and left legally parked at the location.</p> <p>The crystalline substance was tested by Department laboratory technicians and found to be methamphetamine. A criminal report was submitted to the Los Angeles County District Attorney's Office for criminal filing consideration. The District Attorney's Office declined to file criminal charges against the plaintiff.</p> |

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

This case was settled due to a prudent business decision. Therefore, this is an economic settlement.

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

This incident was reviewed by representatives from the South Los Angeles Station and executive staff at Central Patrol Division to assess if any administrative misconduct occurred before, during, and/or after the incident.

The executive review of this incident did not reveal any employee misconduct. The actions taken by the deputy sheriffs involved in this incident were found to be within the guidelines of what is expected from employees assigned to South Los Angeles Station and the Department.

County of Los Angeles
Summary Corrective Action Plan

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

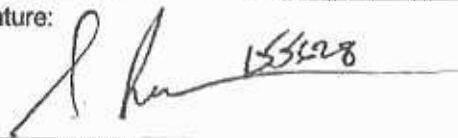
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



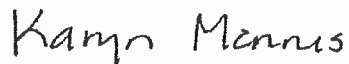
Date:

2-20-18

Name: (Department Head)

Karyn Mannis, Chief
Professional Standards and Training Division

Signature:



Date:

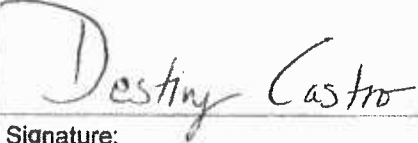
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Chief Executive Office Risk Management Inspector General USE ONLY

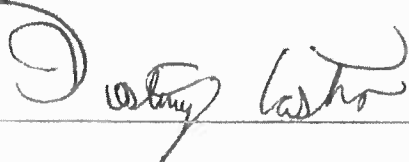
Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability.
☒ No, the corrective actions are applicable only to this Department.

Name: (Risk Management Inspector General)



Signature:



Date:

2/26/2018

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 5, 2018

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:29 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: Chair Steve Robles and Arlene Barrera, with Roger Granbo being absent.

Other persons in attendance at the meeting were: Office of the County Counsel: Lillian Russell, Michael Gordon, Jonathan McCaverty, Craig Hoetger, and Katherine Bowser; Department of Public Works: Dominic Osmena and William Winter; Probation Department: Vicky Santana; Department of Children and Family Services: Christina Lee; Outside Counsel: Diana Ratcliff.

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 9:31a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(f) below.

4. Report of actions taken in Closed Session.

At 10:39 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Non-Litigated Claim of Jason Foster

This claim seeks compensation from the Department of Public Works for real and personal property damage allegedly caused from a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$54,815.65 (includes prior payment of \$20,000).

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

**b. Kyndra Neven, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 595 039**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an employee from the Department of Public Works.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$26,950.

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

**c. Jeremy Harris, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 672 388**

This lawsuit alleges civil rights violations and wrongful detention of Plaintiff and his three children by the Probation Department while attempting to locate a probationer at-large.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$35,000.

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

**d. Jose Murillo v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 584 470**

This lawsuit alleges that an employee from the Department of Children and Family Services was subjected to sexual orientation discrimination, harassment and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$45,000.

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

e. **Arolyn Burns v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 637 319

This lawsuit concerns allegations that an employee from the Department of Children and Family Services was subjected to disability discrimination and that the Department failed to engage in the interactive process or provide a reasonable accommodation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$237,500.

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

f. **Sarisha Roby v. County of Los Angeles, et al.**
United States District Court Case No. 2:16-CV-07879

This lawsuit alleges Plaintiff's civil rights were violated when Department of Children and Family Services personnel removed her children without a warrant.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$300,000.

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

5. **Approval of the minutes of the February 5, 2018, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Steve Robles and Arlene Barrera
Absent: Roger Granbo

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.**

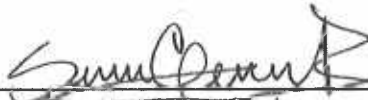
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:40 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By


Sandra E. Ruiz