

**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, FEBRUARY 4, 2008, AT 8:00 AM**

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

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

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

**No members of the public addressed the Claims Board.**

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

- a. David LeBarron, et al. v. County of Los Angeles  
Lancaster Superior Court Case No. MC 016 364

This dangerous condition lawsuit arises from injuries sustained in a bicycle accident on Crown Valley Road in Antelope Valley.

**Action Taken:**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$975,000 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 Attached Documents](#)**

- b. Maria Marroquin and Marco Marroquin v. County of Los Angeles  
Los Angeles Superior Court Case No. TC 020 368

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at Martin Luther King/Drew Medical Center.

**Action Taken**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$285,000 plus the waiver of the County's medical bills of \$1,173,210, and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.**

Absent: None

Vote: Unanimously carried

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

- c. Jada D., et al. v. County of Los Angeles  
Los Angeles Superior Court Case No. VC 045 216

This lawsuit concerns allegations of abuse of two minors while in foster care.

**Action Taken**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$420,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.**

Absent: None

Vote: Unanimously carried

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

- d. Rochelle Abramovitz v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 335 701

This lawsuit concerns allegations that an employee of the Department of Public Health was subjected to discrimination.

**Action Taken**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$375,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Health's budget.**

Absent: None

Vote: Unanimously carried

- e. Claim of Cecilia Navarro

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

**Action Taken**

**The Claims Board approved settlement of this matter in the amount of \$43,774.62.**

Absent: None

Vote: Unanimously carried

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

f. Claim of Jose Contreras

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

**The Claims Board approved settlement of this matter in the amount of \$33,480.45.**

Absent: None

Vote: Unanimously carried

[See Attached 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 for the January 7, 2008, meeting of the Claims Board and the Minutes for the January 14, 2008, special meeting of the Claims Board.

**Action Taken:**

**The Minutes for the January 7, 2008, meeting of the Claims Board were approved and the Minutes for the January 14, 2008, special meeting of the Claims Board were approved.**

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

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	<u>LeBarron v. County of Los Angeles</u>
CASE NUMBER	MC016364
COURT	Los Angeles County Superior Court (Lancaster)
DATED FILED	April 18, 2005
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$975,000
ATTORNEY FOR PLAINTIFF	Robert A. Parris, Esq. R. Rex Parris Law Firm (661) 949-2595
DEFENSE COUNSEL ATTORNEY	Allen L. Thomas, Esq. Thomas Law Firm (562) 425-3143
NATURE OF CASE	<p>This is a dangerous condition of public property lawsuit brought by David LeBarron for damages for the personal injuries he sustained in a bicycle accident which occurred on May 3, 2004. Donna LeBarron, wife of Mr. LeBarron, seeks damages for loss of consortium.</p> <p>The accident occurred on Crown Valley Road in unincorporated County territory located in the Antelope Valley. Mr. LeBarron was riding his bicycle on Crown Valley Road when he struck an asphalt berm surrounding a concrete catch basin on the west side of Crown Valley Road. He was thrown from his bicycle into the catch basin, striking his head and face. Mr. LeBarron, 39 years of age at the time, suffered serious head injuries, including a skull fracture, a severe concussion and frontal lobe (brain) trauma and hemorrhage in the</p>

accident. Plaintiffs claim that the roadway was in a dangerous condition and that the condition was a cause of the accident. Specifically, they allege that the catch basin was situated in an unsafe location on the roadway, that it intruded into the travel lane on Crown Valley Road, and that traffic controls and markings were needed to warn of the potential hazard.

This case was mediated twice on August 31, 2007 and again on October 16, 2007. The mediator has now proposed a settlement of all disputes in the total amount of \$975,000. Due to the risks and uncertainties of the litigation, the Department of Public Works, Carl Warren and Company, County Counsel, and County's defense counsel recommend acceptance of the mediator's proposal and a settlement in the amount of \$975,000.

PAID ATTORNEY FEES, TO DATE	\$63,766
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PAID COSTS, TO DATE	\$39,520
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## 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.

Date of incident/event:	May 3, 2004
Briefly provide a description of the incident/event:	Mr. LeBarron was riding a mountain bicycle southbound on Crown Valley Road at approximately 35 mph on a straight downhill grade when he struck the raised curb that was surrounding the storm drain inlet. He was propelled off the bicycle and impacted the asphalt roadway and was rendered unconscious.

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

<ol style="list-style-type: none"> <li>1) Insufficient visual notice of the inlet structure.</li> <li>2) Rural non-standard storm drain inlet structure.</li> <li>3) Road was widened with additional pavement in place of the dirt shoulder.</li> <li>4) Missing reflective marker at the base of curb.</li> <li>5) Oversight to include reflective markers in the inventory system for review and maintenance.</li> </ol>
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County of Los Angeles Department of Public Works  
Summary Corrective Action Plan



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

- 1) Enhancements to the existing signing and striping including a solid white edge line, painting the asphalt curb white and installation of signs. Completed October 30, 2006
- 2) Initiate and complete by March 31, 2008 a Project Design Concept (PDC) Report to study the replacement of the existing inlet structure with a series of curb opening catch basins.
- 3) Direct staff to only construct or modify pavement upon engineering review. Complete by March 1, 2008.
- 4) Revised procedures to require all new traffic safety related reflective markers to be included in the inventory system for future review and maintenance. Complete by March 1, 2008
- 5) Complete a list of existing locations with reflective markers for further review and inclusion into the inventory system as necessary. Complete by December 31, 2008.

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

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

Signature: (Risk Management Coordinator) 	Date: 1/28/08
Signature: (Director) 	Date: 1/28/08



**DEPARTMENT OF PUBLIC WORKS  
CORRECTIVE ACTION PLAN**

**LAWSUIT OF:** David and Donna LeBarron

**INCIDENT DATE:** May 3, 2004

**INCIDENT LOCATION:** Crown Valley Road, 0.1 miles north of Sierra Highway. Acton area of unincorporated Antelope Valley

**RISK ISSUE:**

Alleged Dangerous Condition: By statute dangerous condition is defined as a condition of property that creates a substantial risk of injury when used with due care.

The Le Barrons contend in their lawsuit that the roadway is in a dangerous condition due to the actions of Public Works; by its failure to provide adequate visual safeguards of a catch basin inlet in the roadway following the improvement of the dirt shoulder. In trial the County may be found liable for the dangerous condition of its property due to the design and maintenance.

**INVESTIGATIVE REVIEW:**

Crown Valley Road is a two-lane north-south rural road with one travel lane in each direction separated by a double yellow line with a shoulder. It is a straight road traveling uphill northbound from Sierra Highway. There is an inlet structure adjacent and along the southbound travel lane approximately 300 feet north of Sierra Highway. The inlet's purpose is to collect downhill surface flow on Crown Valley Road.

The drain inlet was constructed within the maintained, public road right of way in conjunction with a private development south of the inlet. The plans called for raised curb around the basin and four reflective markers in front of the inlet. The reflective markers were not placed into Public Works inventory system for periodic inspection and maintenance.

To prevent further erosion on the west side of rural Crown Valley Road, the road was widened several feet, the dirt shoulder was replaced on the west side with an inverted asphalt shoulder to channelize storm flows. In 2000, this section of roadway was reviewed and in 2001 a resurfacing project was completed.

The incident occurred in the early morning of May 3, 2004 at approximately 5:30AM prior to sunrise (6:02AM). David Le Barron was riding a mountain bicycle southbound on Crown Valley Road with his regular riding companion. While traveling approximately 35 mph on this straight, downhill grade, he struck the raised curb that was surrounding the storm drain inlet. He was propelled off the bicycle and impacted the asphalt roadway, his helmet was dislodged, he rolled several times, sustained head trauma and

**LeBARRON CORRECTIVE ACTION PLAN**  
**Page 2**

was rendered unconscious. Mr. LeBarron was transported and hospitalized for several months. He sustained permanent head injuries.

**POLICY ISSUES:**

Operational Services Division has a practice of repainting all markings and striping every 18-months. While traffic safety related signs are reviewed and maintained every three years, reflective markers of the type specified to be used in front of the inlet have not been inventoried, and consequently have not been reviewed. Reflective marker repairs to date have been performed by Road Maintenance Division.

Current practice allows pavement modifications, including additional pavement as necessary for various reasons by Road Maintenance Division staff without formal review.

**CORRECTIVE ACTION:**

1. Public Works reviewed the site after the accident and determined that enhancements to the existing signing and striping layout would be appropriate in the immediate vicinity of the inlet structure. Consequently, a striping and signing plan was prepared which included the installation of a solid white edge line, painting the asphalt berm white and installation of a yellow reflective object marker sign and single obstruction arrow sign. The signing and striping installation was completed on October 30, 2006.
2. Initiate and complete by March 31, 2008 a Project Design Concept (PDC) Report by Design Division to study the replacement of the existing inlet structure with a series of catch basins along Crown Valley Road.
3. By March 1, 2008 Road Maintenance Division by memorandum will direct staff to only construct or modify pavement upon engineering review.
4. By March 1, 2008 Traffic & Lighting Division by memorandum will revise procedures to require all new traffic safety related reflective markers to be included in the inventory system for periodic review and maintenance.
5. By December 31, 2008 Road Maintenance Division will complete a list of existing locations with reflective markers for further review by Traffic and Lighting Division. Traffic and Lighting Division will then review these locations to determine if the reflective markers are necessary and if so prepare an engineering plan for the markers. Operational Services Division will carry out the plan and include the markers into the facilities inventory system for future review and maintenance. If the marker locations are deemed unnecessary they will be removed by Road Maintenance Division.

LeBARRON CORRECTIVE ACTION PLAN  
Page 3

Reviewed & Recommended

William H. Higley 1/28/08  
Date  
William H. Higley  
Deputy Director

Approved

Patrick V. DeChellis 1-29-2008  
Date  
Patrick V. DeChellis  
Deputy Director

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Maria Marroquin and Marco Marroquin v. County of Los Angeles
CASE NUMBER	TC020368
COURT	Los Angeles County Superior Court South Central District
DATE FILED	August 20, 2006
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$285,000 plus the waiver of the County's medical bills for \$1,173,210.
ATTORNEY FOR PLAINTIFF	Darren A. Manibog, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This was a medical malpractice lawsuit brought by Maria Marroquin and Marco Marroquin against the County of Los Angeles.</p> <p>On October 4, 2005, Maria Marroquin, a 46 year-old female, underwent a surgical procedure at Martin Luther King/Drew Medical Center ("MLK") whereby her gallbladder was removed. The records</p>

do not reflect whether MLK staff fully informed the patient of the risks and complications of the surgery.

Complications arose during the October 4, 2005 surgical procedure as a part of the patient's small intestine was injured during the surgery. As a consequence, Ms. Marroquin had to undergo several additional surgeries to correct and treat the complications and thus, had to remain at the hospital for a prolonged period of time. During her hospitalization, Ms. Marroquin incurred medical bills in the amount of \$1,173,210.00.

Maria Marroquin asserted a claim for medical malpractice, and her husband, Marco Marroquin, asserted a claim for Loss of Consortium against the County of Los Angeles.

Although the County will argue that the complications of the October 4, 2005 procedure were reasonably expected, the medical experts may be critical of the occurrence of the intestinal injury during the said procedure. Thus, the parties propose a full settlement of this case in the amount of \$285,000 plus the waiver of the County's medical bills for \$1,173,210.

PAID ATTORNEY FEES, TO DATE	\$28,105
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PAID COSTS, TO DATE	\$15,096
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## Summary Corrective Action Plan



Date of incident/event:	October 4, 2005
Briefly provide a description of the incident/event:	Maria Marroquin, a 46 year-old woman, underwent gallbladder removal at Martin Luther King/Drew Medical Center on October 4, 2005. Although she was advised about the risks and complications of surgery, the medical record does not reflect that she was fully informed. There were complications that led to additional surgeries and prolonged hospitalization.

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

Inadequate informed consent. Management of the duodenal injury during cholecystectomy.

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

- All appropriate personnel corrective actions have been taken.

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

☐ Potentially has County-wide implications.

☒ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).

☐ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator)	Date:
	1/25/08
Signature: (Senior Medical Director)	Date:
	1/25/08
Signature: (Department Head)	Date:
	1/25/08

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Jada D., et al. v. County of Los Angeles</u>
CASE NUMBER	VC045216
COURT	Los Angeles County Superior Court Norwalk
DATE FILED	September 16, 2005
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$420,000
ATTORNEY FOR PLAINTIFF	Andrew Ritholz (323) 222-9688
COUNTY COUNSEL ATTORNEY	Lauren M. Black Senior Deputy County Counsel (213) 974-0695
NATURE OF CASE	This is a lawsuit brought by sisters Jada D. and Faith D. alleging that the Department of Children and Family Services failed to properly evaluate their adoptive mother, Audrey Chatmon, before approving their adoptive placement, which resulted in severe physical and emotional injury to both children.

Plaintiffs Jada D. and Faith D. were removed from their adoptive placement on February 6, 2004, when Plaintiff Jada D., then four years old, was found to have sustained second and third degree burns to her body as a result of being submerged in scalding water. Plaintiff Faith D., who was almost three years old at the time of the burn incident, alleges that she was forced to participate in the chronic abuse of her sister, as well as being the victim of abuse and neglect herself.

As a result of the burn incident alleged in the complaint, Ms. Chatmon was convicted of child abuse and is serving a 15-year prison sentence.

Both Plaintiffs allege that they suffered physical and emotional abuse as a result of the placement and have received psychological counseling as a result. Plaintiff Jada D. sustained second and third degree burns over 15% of her body which has resulted in extensive scarring and hypo-pigmentation.

This case has been vigorously litigated, which included multiple successful challenges to the Plaintiffs' complaint. Specifically, the County has prevailed on four demurrers and six motions to strike based on the Plaintiffs' failure to adequately plead a cause of action. After the County's sixth motion to strike was filed, the court allowed the Plaintiffs to file a sixth amended complaint which names five additional County defendants and five new causes of action. Due to the risks and uncertainties of litigation, the parties reached a tentative settlement of \$420,000 before the County's response was due to this latest version of the complaint.



PAID ATTORNEY FEES, TO DATE	\$173,220
PAID COSTS, TO DATE	\$24,191



## Summary Corrective Action Plan Department of Children and Family Services



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 6, 2004
Briefly provide a description of the incident/event:	On February 6, 2004, roughly six months after the Department of Children and Family Services (hereinafter DCFS) and Juvenile Court cases regarding two foster children and their adoptive mother were closed, DCFS received an Emergency Response (ER) Referral alleging severe physical abuse to one of the children, Jada, by the adoptive mother. DCFS and law enforcement investigations confirmed severe abuse to this child in the care of her adoptive mother.

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

The root cause(s) of this claim/lawsuit is (are):

- 1) inadequate compliance with established agency standards concerning face-to-face contact with children and the completion of the adoptive home study of the alleged perpetrator;
- 2) inadequate compliance with established agency standards regarding the supervisory oversight and approval for face-to-face contact with children and the completion of the adoptive home study of the alleged perpetrator; and
- 3) an absence of formal management standards for the evaluation of performance in the above mentioned areas.

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

**Corrective actions to address root cause number 1**

The process non-conformance was referred to Performance Management for review and action. The employee was discharged. Prior to final resolution by the Civil Service Commission the matter settled. The employee resigned.

**Corrective actions to address root cause number 2**

The process non-conformance was referred to Performance Management for review and action. The employee received a thirty day suspension in 2006.

**Corrective actions to address root cause number 3**

Contact Requirements and Exceptions Policy Number 0400-503.10 was revised and issued on June 1, 2006. This policy mandated private interviews with children which must occur outside the presence and immediate vicinity of the caretaker. On November 28, 2007, the Executive Team of DCFS released a directive to all staff specifically referencing this policy, stating expectations regarding compliance with this policy, and establishing management oversight responsibilities to the Deputy Director level regarding this policy. The memo is titled "Back To Basics: Compliance & Expectations: Face-To-Face Child Contacts."

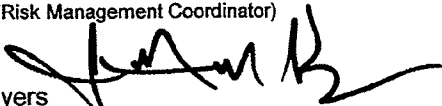

A complete review of all existing Adoptions home study policies will be undertaken by management staff from Adoption and Permanency Resource Division to ensure compliance with Federal and State law as well as best practices.

Adoption staff who have assessment responsibilities will be re-trained with regard to home study assessment and completion. Training will be provided by Adoption Division management.

Regarding standards for management evaluation of the completion of adoptive home studies, effective February 2008, each Adoption and Permanency Resources Division Assistant Regional Administrator will conduct a quality review analysis of 400 studies by years end under the administrator's span of control. Findings will be used to train to and enforce established standards.

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)  Jonathan Byers	Date: 1-23-08
Signature: (Department Head)  Patricia S. Ploehn, Director	Date: 1-29-08

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Claim of Cecilia Navarro
CASE NUMBER	Non-litigated
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Department of Public Works - Sewer
PROPOSED SETTLEMENT AMOUNT	\$43,774.62
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	<p>This non-litigated claim involves property damages arising from a sewage overflow caused by a tree root blockage in a sewer main line. The main line is part of the Consolidated Sewer Maintenance District that is maintained by the County. Ms. Navarro presented a government claim, alleging damages to her wall board, base board, trim, kitchen cabinetry, appliances, carpeting and personal property. She contends the County is liable for her property damages. 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 claimant.</p>
PAID ATTORNEY FEES, TO DATE	\$0
PAID COSTS, TO DATE	\$0

**Summary Corrective Action Plan**  
**Los Angeles County 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.

Date of incident/event:	June 27, 2007
Briefly provide a description of the incident/event:	<p>Navarro Claim</p> <p>This is a sewage back-up that occurred at a residence at 9034 Pioneer Bl., Santa Fe Springs. The claimant discovered "black water" sewage overflowing into the lower level of her home. The black water caused damages to the interior baseboard and associated trim of several rooms and other personal property.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by overgrown tree roots between manhole numbers 251 and 234. Remediation under the Rapid Response Program was initiated.</p>

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

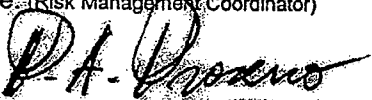
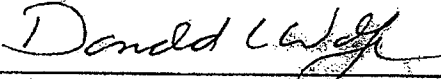
<p>Tree root blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on January 9, 2007.</p>
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2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The segment of main line was placed on a 90 day rodding 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) 	Date: 1/3/08
Signature: (Director) 	Date: 1/7/08

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Claim of Jose Contreras
CASE NUMBER	Non-litigated
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Department of Public Works - Sewer
PROPOSED SETTLEMENT AMOUNT	\$33,480.45
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	<p>This non-litigated claim involves property damages arising from a sewage overflow caused by a root blockage in a sewer main line. The main line is part of the Consolidated Sewer Maintenance District that is maintained by the County.</p> <p>Mr. Contreras presented a government claim, alleging damages to a unit of an apartment building that he owns. The damages affected the unit's wall board, base board, trim, and carpeting. Mr. Contreras also lost rental income because he was unable to rent the unit in the damaged condition. He contends the County is liable for her property damages. 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 claimant.</p>

PAID ATTORNEY FEES, TO DATE	\$0
PAID COSTS, TO DATE	\$0



## Summary Corrective Action Plan

### Los Angeles County 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.

Date of incident/event:	August 19, 2007
Briefly provide a description of the incident/event:	<p>Contreras Claim</p> <p>This is a sewage back-up that occurred at a residence at 424 Ada Ave, Glendora. The claimant discovered "black water" sewage overflowing into an apartment. The black water caused damage to the interior baseboard and associated trim.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by overgrown tree roots between manhole numbers 110 and 111. Remediation under the Rapid Response Program was initiated.</p>

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

Tree root blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on April 3, 2007.

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


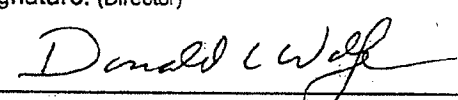
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2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The segment of main line was placed on a 90 day rodding 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) 	Date: 1/3/08
Signature: (Director) 	Date: 1/7/07

# COUNTY OF LOS ANGELES CLAIMS BOARD

## MINUTES OF REGULAR MEETING

January 7, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:05 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Robert Cartright, Sheilah Curtis, and Narbeh Bagdasarian; Department of Health Services: Dr. Splawn, Sr. Medical Director, Dr. Marshall, Chief Gynecology - Harbor/UCLA; Department of Parks and Recreation: David Waage, HR Manager, Anush Gambaryan, Safety Officer; Department of Public Works: Jim Kearns; Outside Counsel: J. Peter Fiske of Kohrs & Fiske.

No members of the public addressed the Claims Board.

At 8:15 a.m., the Chairperson adjourned the meeting into closed session. At 10:30 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

a. Claim of Daniel Lopez

This claim concerns allegations that the Lennox Sheriff's Station lacked an accessible entry ramp in violation of the Americans with Disabilities Act.

**This matter was continued to the next Claims Board meeting.**

b. Dworsky Associates, et al. v. Matti J. Prabhu & Associates  
Los Angeles Superior Court Case No. BC 331 241

This lawsuit concerns the recovery of extra construction costs the County incurred due to errors in the design of the Central Juvenile Hall Housing Units Replacement Project.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter whereby the County will accept payment of \$273,000 to settle its professional negligence claims in connection with the design of the Central Juvenile Hall Housing Units Replacement Project.**

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

- c. John Alderson v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 367 781

This lawsuit concerns allegations that the Department of Parks and Recreation wrongfully rescinded an offer of employment.

**This matter was continued to the next Claims Board meeting.**

- d. County of Los Angeles v. Sandra Shewry and State Department of Health Services  
Los Angeles Superior Court Case No. BS 109 055

This lawsuit concerns payments under the State Medi-Cal Program.

**The Claims Board approved settlement of this matter whereby the County will receive approximately \$39,180.**

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

- e. Estate of Antonette Taylor, et al. v. County of Los Angeles  
Los Angeles Superior Court Case No. TC 019 653

This wrongful death lawsuit arises from treatment received by a patient while hospitalized at the Martin Luther King/Drew Medical Center.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$295,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.**

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

- f. Engrid Lewis v. County of Los Angeles  
Los Angeles Superior Court Case No. TC 021 267

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at the Harbor/ UCLA Medical Center.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$437,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.**

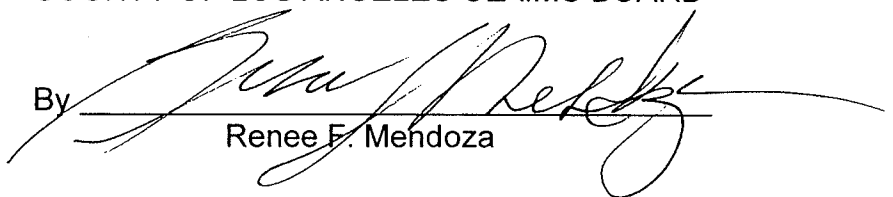
**The vote of the Claims Board was unanimous with all members being present.**

Minutes for the December 17, 2007, meeting were approved.

There being no further business, the meeting was adjourned at 10:38 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

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Renee F. Mendoza

# COUNTY OF LOS ANGELES CLAIMS BOARD

## MINUTES OF SPECIAL MEETING

January 14, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:00 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Sheilah Curtis and Millicent Rolon; Department of Parks and Recreation: David Waage, HR Manager, Anush Gambaryan, Safety Officer; Sheriff's Department - Risk Management: Pat Hunter and Robert Taliento.

No members of the public addressed the Claims Board.

At 8:05 a.m., the Chairperson adjourned the meeting into closed session. At 8:45 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. John Alderson v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 367 781

This lawsuit concerns allegations that the Department of Parks and Recreation wrongfully rescinded an offer of employment.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Parks and Recreation's budget.**

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

- b. Claim of Daniel Lopez

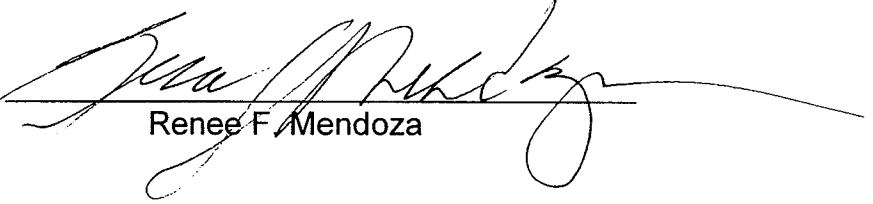
This claim concerns allegations that the Lennox Sheriff's Station lacked an accessible entry ramp in violation of the Americans with Disabilities Act.

**This matter was continued to the March 3, 2008, Claims Board meeting.**

There being no further business, the meeting was adjourned at 8:50 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

A handwritten signature in black ink, appearing to read "Renee F. Mendoza", is written over a horizontal line.

Renee F. Mendoza