



Board Agenda Item 32

DATE: January 6, 2026
TO: Board of Supervisors
SUBMITTED BY: Hollis Magill, Director of Human Resources
SUBJECT: Resolutions Rejecting Claims for Damages

RECOMMENDED ACTION(S):

Adopt Resolutions Rejecting Claims for Damages

There is no increase in Net County Cost associated with the recommended actions. After evaluation by the Claims Review Committee, submitted claims are presented to the Board with recommendations for action. If the claim is in the County's jurisdiction, the Summary of Claims denotes the affected supervisorial district.

ALTERNATIVE ACTION:

For any claim, your Board could choose not to approve the Claims Review Committee's recommendations, and instead direct staff to allow, compromise, settle, or further investigate the claim.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Payment of claims and the cost of defending claims are charged to the Department's Org 8925, Risk Management Internal Services Fund. The Fund is supported by annual budgetary contributions from County departments based on actuarial projections.

DISCUSSION:

The Board has delegated authority to the Human Resources Director to allow, reject, compromise, or settle claims for damages covered by the County's self-insured program or excess liability insurance in amounts up to \$50,000 pursuant to Chapter 5.02 of the County's Ordinance Code. Similarly, the board has delegated authority to the County Administrative Officer to settle or compromise claims up to the same amount.

Claims exceeding that amount are referred to your Board after evaluation by the Claims Review Committee (CRC). The CRC considers various claim elements, which include jurisdiction, allocation of fault, immunities, and compliance with the Government Claims Act by claimants. The CRC consists of the Human Resources Director, Assistant Director of Human Resources, Risk Management staff, and a Chief Deputy County Counsel.

For all claims, a reserve is established, which is estimated by Risk Management to be sufficient to pay the cost of investigating and defending the claim, and to pay any damages for which the County is liable.

After evaluation by the CRC, claims exceeding the authority of the Human Resources Director and the County Administrative Officer are presented to the Board with a recommendation for action on each claim. Upon rejection of a claim, the claimant has six months to file a lawsuit against the County for damages based on the claim.

The CRC has reviewed the claims that are summarized briefly below, and rejection is recommended for each claim.

Claims

<u>Claim No.:</u>	<u>Claimant(s)</u>
GHC0090328	Myesha Sanders and Daman Andrews
GHC0090370	Ernest Thompson
GHC0090628	Erika Torres
GHC0090717	Linda Mitchell
GHC0090766	Evelyn Ramos
GHC0090824	Berta Gutierrez de Flores
GHC0090993	Camilla Perez and Luz Lopez

Summary of Claims

Myesha Sanders and Daman Andrews - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege an on-duty emergency vehicle made an unsafe turn and struck claimants' vehicle, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Jonathan Moradifar. This incident does not involve the County of Fresno because it is alleged to have involved the City of Fresno Police Department.

Ernest Thompson - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges the hazardous condition of the intersection at or near Tulare Street and G Street, Fresno CA, caused claimant, who was riding a bicycle, to fall into a ditch, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Mariam Danielyan. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Erika Torres - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges the hazardous condition of the sidewalk at or near M Street and Inyo Street, Fresno CA, caused her to trip and fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Mariam Danielyan. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Linda Mitchell - Claimant claims \$1,000,000 and alleges a hazardous condition of a parking lot located at 326 E. Merced Street, Fowler CA, caused her to trip and fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Ryan Daneshrad. This incident does not involve the County of Fresno because it is alleged to have occurred on private property.

Evelyn Ramos - Claimant claims in excess of \$1,000,000 and alleges as she was pulling out of her driveway, a Sheriff Deputy driving at a high speed collided with her vehicle, which was the proximate cause of the claimant's injuries. The traffic collision report stated the claimant pulled out her driveway into the path of the Deputy. Claimant is represented by attorney Garrett May. This incident is alleged to have occurred in District 1.

Berta Gutierrez de Flores - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges that a Fresno International Airport employee was negligent in operating the wheelchair she was in, placing a backpack on its backrest and causing her to fall backwards, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Eric Gutierrez. This incident does not involve the County of Fresno because the County does not own or maintain Fresno International Airport.

Camilla Perez and Luz Lopez - Claimants claim in excess of \$35,000 (the jurisdictional amount for limited

civil cases) and allege the hazardous condition of the road at or near Trimmer Springs Road, Sanger CA, caused the death of decedent Christian Rojas, which was the proximate cause of the claimant's injuries. Decedent Christian Rojas and claimant Luz Lopez were passengers in a motor vehicle accident where the driver lost control of the vehicle and rolled down an embankment. The driver of the vehicle was driving under the influence and has pleaded no contest to vehicular manslaughter. This incident is alleged to have occurred in District 5.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolutions Rejecting Claims for Damages (7)

CAO ANALYST:

Sevag Tateosian