



Board Agenda Item 49

DATE: April 7, 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>
GHC0090828	Saul Ibarra
GHC0092556	Rupaldeep Kaur and Harpreet Singh Nagi
GHC0092708	Carmen Annie Garcia
GHC0093481	Brian Sayles
GHC0093483	Alejandra Zuniga
GHC0093488	Carolyn Cortez and Tamera Hanley
GHC0093697	Thomas Ruggeri
GHC0093707	Michael Trevino Sr.
GHC0093733	Mario Magano and Virginia Magano
GHC0093735	Saul Gonzalez
GHC0094048	State Compensation Fund aso David Solomon
GHC0094054	Yolanda Garcia
GHC0094237	Michael Cruz Hernandez
GHC0094246	Ada Alvarez

Summary of Claims

Saul Ibarra - Claimant claims \$1,000,000 and alleges a County employee ran a red light on a left turn at the intersection of Jensen Avenue and McCall Avenue causing an auto accident, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Eddie Ruiz. This incident is alleged to have occurred in District 4.

Rupaldeep Kaur and Harpreet Singh Nagi - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege a Deputy Sheriff collided into the passenger side of their vehicle at the intersection of McCall Avenue and Mckinley Avenue, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Benjamin Tryk. This incident is alleged to have occurred in District 5.

Carmen Annie Garcia - Claimant claims in excess of \$10,000 and alleges she tripped over a blue cement parking block at the entrance of the DSS Client Services Building causing her to fall, which was the proximate cause of the claimant's injuries. The DSS Pontiac building located at 3500 Never Forget Lane, Clovis CA is not owned by the County of Fresno. Claimant is represented by attorney Michael Hergenroether. This incident is alleged to have occurred in District 3.

Brian Sayles - Claimant claims \$1,000,000 and alleges he worked as a Correctional Officer and was terminated for failing to complete a mandatory training, which termination was the proximate cause of the claimant's injuries. Claimant alleges he had broken his toes on vacation which prevented him from completing the training, and that the County did not engage in any interactive process to discuss possible accommodations. Claimant was employed by the County of Fresno and worked in the Sheriff's office. Claimant is represented by attorney Vanya Khanna. This incident is alleged to have occurred in District 3.

Alejandra Zuniga - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she was terminated for reporting inappropriate actions of her coworkers and was retaliated against, which termination was the proximate cause of the claimant's injuries. Claimant was employed by the County of Fresno and worked for the Department of Probation. Claimant is represented by attorney Kevin Little. This incident is alleged to have occurred in District 4.

Carolyn Cortez and Tamera Hanley - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege a missing section of the sidewalk by Lutheran Church Concordia caused Claimant Carolyn Cortez to lose control of her walker and fall onto claimant Tamera Hanley, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Michelle Sasoones. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Kingsburg.

Thomas Ruggeri - Claimant claims \$100,000,000 and alleges he tripped over an uneven, raised sidewalk at or near the intersection of Pinedale Avenue and Lodi Avenue, Fresno CA, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Alexander Felix. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Michael Trevino Sr. - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges a bus driver stopped too far from the curb and rushed claimant to board the bus, causing claimant to fall backwards, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Jessica Behmanesh. This incident does not involve the County of Fresno because the County does not own or operate buses, and the bus driver is not a County employee.

Mario Magano and Virginia Magano - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege the traffic lights at the intersection of Maple Avenue and Olive Avenue were inoperable and when they proceeded into the intersection, they were hit by another vehicle, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Malek Shraibati. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Saul Gonzalez - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges the hazardous condition of a residential walking trail near N. Cypress Avenue and E. Tulare Street, Fresno CA, caused two teenagers riding a bike collide into him, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Michelle Sasoones. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

State Compensation Fund aso David Solomon - Claimant claims in excess of \$36,404.56 and alleges the dangerous conditions of the road near Tollhouse Road and Van Vleet, Tollhouse CA, caused him to veer off the roadway, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Ferial Chebouli. This incident is alleged to have occurred in District 5.

Yolanda Garcia - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she was walking in the parking lot of 3190 E. Tulare Avenue, Fresno CA, when her foot made contact with a sudden slope on the edge of the parking lot and fell, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Jessica Behmanesh. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Michael Cruz Hernandez - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he was walking on the sidewalk in front of 872 Quince Street, Mendota CA, and slipped and fell due to debris on it, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Malek Shraibati. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Mendota.

Ada Alvarez - Claimant claims \$1,000,000 and alleges she was sexually assaulted by a City police officer, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney John Habashy. This incident does not involve the County of Fresno because it is alleged to have involved a City of Fresno Police Department officer.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolutions Rejecting Claims for Damages (14)

CAO ANALYST:

Sevag Tateosian