



Board Agenda Item 63

DATE: December 9, 2025

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>
GHC0088268	Feliciano Enriquez-Romero, Maria Enriquez and Aspire General Insurance obo Feliciano Romero
GHC0088513	Serina Derickson and Two Minors
GHC0088766	Matthew Blair Cramer
GHC0088807	Adolfo Quintero-Mendez and Deborah Rodriguez
GHC0088812	Jennifer Tinoco obo Destiny Tinoco and Cynthia Aviles obo Desiree Marie Suarez
GHC0088827	Desmond Joice
GHC0088832	April Gallardo
GHC0088941	Kyles Telles obo Linda Salazar
GHC0088944	Delilah Casarez
GHC0089025	Jesse Guajardo Jr.
GHC0089156	Bernards Bros. Inc
GHC0089434	Maria Villa Moreno obo Brittney Villa Moreno
GHC0089605	Victor Lopez and Joseph Lopez
GHC0089633	Patti Roebuck
GHC0089638	Miguel Ramos
GHC0089880	Joi Gillum, Earnest Walker Jr., Roman Walker, Mary Bates and Royal Walker

Summary of Claims

Feliciano Enriquez-Romero, Maria Enriquez and Aspire General Insurance obo Feliciano Romero - Claimants Feliciano Enriquez and Maria Enriquez claim in excess of \$10,000 and allege when they entered the intersection of S. Bethel Avenue and E. Central Avenue, Sanger CA, they were hit by a Sheriff Deputy, which was the proximate cause of the claimants' injuries. Claimants stated they heard sirens while stopped at the posted stop sign. After looking for an emergency vehicle and observing none, they proceeded to enter the intersection. Claimant Aspire General Insurance claims an unknown amount and allege their insured Feliciano Enriquez-Romero was involved in a motor-vehicle accident with a Sheriff Deputy, which was the proximate cause of the claimant's property damages. Claimants Feliciano Enriquez-Romero and Maria Enriquez are represented by attorney Mark Vogt. Claimant Aspire General Insurance is not represented by an attorney. This incident is alleged to have occurred in District 4.

Serina Derickson and Two Minors - Claimants claim in excess of \$100,000 and allege while operating a motorcycle along the shoulder of Jayne Avenue, Coalinga CA, claimant Serina's partner and father of both Minors, Louis Maciel, was decapitated and dismembered due to an unmarked, unguarded guy wire that was in the path of Mr. Maciel's motorcycle, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Makena Kala Kershaw. This incident does not involve the County of Fresno because it is alleged to have occurred on private property and involved a PG&E guy wire.

Matthew Blair Cramer - Claimant claims \$124,000 and alleges the County of Fresno Sheriff's office failed to remove a warrant, resulting in his unlawful incarceration, which was the proximate cause of the claimant's injuries. Claimant is not represented by an attorney. This incident is alleged to have occurred in District 3.

Adolfo Quintero-Mendez and Deborah Rodriguez - Claimants each claim in excess of \$1,000,000 and allege that while walking down the street near 3520 E. Balch Avenue, Fresno CA, they encountered dogs running loose that bit them, which was the proximate cause of the claimants' injuries. Claimants are represented by

attorney Brandon Peav. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Jennifer Tinoco obo Destiny Tinoco and Cynthia Aviles obo Desiree Marie Suarez - Claimants each claim in excess of \$1,000,000 and allege the dangerous condition of the public property at or near the intersection of Olive Avenue and Webster Avenue, Fresno CA, caused the fatal injury of decedent Desiree Marie Suarez, which was the proximate cause of the claimants' injuries. The claimants also allege that the Amtrak employee was negligent in operating the train. Claimants are represented by attorney Greg Khandjian. This incident does not involve the County of Fresno because it is alleged to have involved an Amtrak employee, and the subject area of the incident is alleged to have occurred in the jurisdiction of the City of Fresno.

Desmond Joice - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges a judge violated his 14th and 5th amendment rights, engaged in fabrication of evidence, acted under the color of law, and restricted him from his child, which was the proximate cause of the claimant's injuries. Claimant is not represented by an attorney. This incident does not involve the County of Fresno because it is alleged to have involved a Fresno Superior Court employee.

April Gallardo - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges while driving on Temperance Avenue in Clovis, CA, her front tire collided with an unsecured manhole causing her to unexpectedly pivot direction of travel and lose control of her vehicle, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Benjamin Drake. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Clovis.

Kyles Telles obo Linda Salazar - Claimant claims in excess of \$1,000,000 and alleges the dangerous conditions at or near 3409 N. Jeanne Avenue, Fresno CA, caused decedent Linda Salazar to be hit by a train causing her death, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Greg Khandjian. This incident does not involve the County of Fresno because the County does not own or maintain railroad tracks, and the surrounding areas near the incident are alleged to have occurred in the jurisdiction of the City of Fresno.

Delilah Casarez - Claimant claims \$25,000,000 and alleges the decedent Adrian Labra was a passenger in a vehicle that was in a traffic collision caused by law enforcement engaged in a high-speed vehicle pursuit, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Pamela Abella. This incident does not involve the County of Fresno because it is alleged to have involved City of Clovis Police Department.

Jesse Guajardo Jr. - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges while traveling on State Route 41, a County employee driving a Peterbilt dump truck negligently merged into their lane striking the passenger side of their vehicle, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Benjamin Drake. This incident does not involve the County of Fresno because it is alleged to have involved a City of Fresno employee.

Bernards Bros. Inc - Claimant claims \$19,681,111.40 and alleges the County breached the written construction contract with claimant by refusing to timely release retention, failing to approve and pay for extra work, which was the proximate cause of the claimant's injuries. Claimant is not represented by an attorney. This incident is alleged to have occurred in District 3.

Maria Villa Moreno obo Brittney Villa Moreno - Claimant claims in excess of \$3,000,000 and alleges her daughter Brittney Villa Moreno was instructed by a football coach at McLane High School to sit on a football sled to add extra weight for football players to push and her left middle finger was severed while she was on the sled, 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 involved Fresno Unified School District.

Victor Lopez and Joseph Lopez - Claimants each claim \$1,000,000 and allege the unsafe and negligent conditions of the parking lot at the Big Fresno Fair resulted in an auto accident, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Leeor Bolour. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of 21st District Agricultural Association.

Patti Roebuck - Claimant claims \$1,000,000 and alleges she slipped and fell due to a liquid substance on the ground at Chukchansi Park, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Lilian Sedaghat. This incident does not involve the County of Fresno because the County does not own or maintain Chukchansi Park.

Miguel Ramos - Claimant claims \$1,000,000 and alleges he hit a pothole while riding his motorcycle causing him to lose control, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Lilian Sedaghat. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Joi Gillum, Earnest Walker Jr., Roman Walker, Mary Bates, and Royal Walker - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege the dangerous condition of the on-ramp of State Route 41 near Jensen Avenue caused the death of Earnest Walker Sr. who was riding a bicycle and hit by a vehicle, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Karen Albence. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of Caltrans.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolutions Rejecting Claims for Damages (17)

CAO ANALYST:

Sevag Tateosian