



# Board Agenda Item 50

DATE: November 7, 2023  
TO: Board of Supervisors  
SUBMITTED BY: Hollis Magill, Director of Human Resources  
SUBJECT: Resolution Rejecting Claim for Damages

RECOMMENDED ACTION(S):

**Adopt Resolution Rejecting Claim 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. The incident giving rise to the claim is alleged to have occurred in District 4.

ALTERNATIVE ACTION:

Your Board could choose not to approve the Claims Review Committee's recommendation, 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 action. 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 claim that is summarized briefly below, and rejection is recommended for the claim.

Claim No.:  
10963

Claimant  
Universal Meditech Inc.

**Summary of Claim**

Universal Meditech Inc. - Claimant claims in excess of \$50,000,000 and alleges the County of Fresno performed an unlawful seizure resulting in destruction of property, which was the proximate cause of claimant's damages. Claimant is represented by attorney Stephen Thomas. This incident is alleged to have occurred in District 4.

**ATTACHMENTS INCLUDED AND/OR ON FILE:**

On file with Clerk - Resolution

**CAO ANALYST:**

Paige Benavides