



# Board Agenda Item 33

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thDATE: October 7, 2025

TO: Board of Supervisors

SUBMITTED BY: Hollis Magill, Director of Human Resources

SUBJECT: Resolutions Rejecting Claims for Damages and Denying Application for Leave to Present a Late Claim

RECOMMENDED ACTION(S):

- 1. Adopt Resolutions Rejecting Claims for Damages; and**
- 2. Adopt Resolution Denying Application for Leave to Present a Late Claim**

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>
GHC0086911	Nao Vang and Xay Chang
GHC0087040	Kalan Nicole Dick obo a Minor
GHC0087165	Raymond Fleming
GHC0087206	Maria Castro
GHC0087208	Bethany Ray
GHC0087242	Shaylee Bullard and Sherry Bullard
GHC0087303	Mercedes Trevino
GHC0087606	Hope Lopez

### **Application for Leave to Present a Late Claim for Damages**

<u>Claim No.:</u>	<u>Claimant</u>
GHC0086830	Rocky Bucci

### **Summary of Claims**

Nao Vang and Xay Chang - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege the traffic lights at the intersection of E. Belmont Avenue and N. Peach Avenue were inoperable which caused their vehicle to be t-boned by another vehicle, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Malek Shraibati. This incident is alleged to have occurred in District 3.

Kalan Nicole Dick obo a Minor - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges her son was attending an after-school program at or near Martin Park when he was bitten by a dog, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Alivia Abreu. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Raymond Fleming - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges the traffic lights at the intersection of N. Fulton Street and E. Belmont Avenue were dysfunctional which caused his vehicle to be struck by another vehicle, 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 Fresno.

Maria Castro - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she was at Hoover High School walking on the sidewalk of the sports field when she fell on fitness equipment that was left on the walkway, 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 Fresno Unified School District.

Bethany Ray - Claimant claims in excess of \$10,000 and alleges the dangerous condition of the intersection at Bethel Avenue and Almond Avenue in Sanger, CA, contributed to an accident she was in, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Rene Turner Sample. This

incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Sanger.

Shaylee Bullard and Sherry Bullard - Claimants claim \$5,000,000 and allege claimant Shaylee Bullard was stuck by a Cal Fire truck as she entered the intersection of Maple Avenue and American Avenue, which was the proximate cause of the claimant's injuries. Claimant Sherry Bullard, who is the mother of Shaylee, alleges she was on the phone with her daughter and heard the collision. Claimants are represented by attorney Douglas Gordon. This incident does not involve the County of Fresno because the County does not own or maintain Cal Fire vehicles.

Mercedes Trevino - Claimant claims \$250,000 and alleges the hazardous condition of the sidewalk at or near Bellaire Avenue and Marengo Avenue in Clovis, CA, caused her to trip and fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Steven Salazar. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Clovis.

Hope Lopez - Claimant claims \$100,000,000 and alleges she was assaulted by an unidentified security guard at the Golden State Triage Center, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Angie Alvarez. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of Fresno Housing.

#### **Summary of Application for Leave to Present a Late Claim**

Rocky Bucci - Claimant claims \$770,000 and alleges the County seized his property, unlawfully used him as an informant, and arrested him, which was the proximate cause of the claimant's injuries. Claimant alleges he was unaware that he needed to file a government claim within six months after the date of loss. The claim was submitted two years after the date of loss. The CRC recommends that this late claim application be denied because the application does not establish any of the criteria set forth in Government Code section 911.6, subdivision (b), for granting such an application. Claimant is not represented by an attorney. This incident is alleged to have occurred in District 4.

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

On file with Clerk - Resolutions Rejecting Claims for Damages (8)

On file with Clerk - Resolution Denying Application for Leave to Present a Late Claim

#### **CAO ANALYST:**

Sevag Tateosian