



Board Agenda Item 29

DATE: July 18, 2023
TO: Board of Supervisors
SUBMITTED BY: Daniel C. Cederborg, County Counsel
SUBJECT: Settlement Agreement and Release - Maria C. Cruz

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a Settlement Agreement and Release to fully resolve the personal injury lawsuit by Maria C. Cruz (Claimant) related to a motor vehicle accident involving an on-duty Sheriff's Deputy on May 15, 2018, for a settlement sum of \$90,000.

Approval of the recommended action will execute the Settlement Agreement and Release, which will fully resolve the lawsuit against the County in Fresno County Superior Court case number 19CECG01954 arising from a motor vehicle accident. The County would pay a total of \$90,000 to Claimant, through her attorney. This item pertains to an incident in District 1.

ALTERNATIVE ACTION(S):

There is no alternative action for this item.

FISCAL IMPACT:

The County would pay \$90,000 to Claimant through her attorney, Roger Bonakdar, of the Bonakdar Law Firm, pursuant to the terms of the Settlement Agreement and Release. There are sufficient appropriations for this payment in the HR-Risk Management FY 2023-2024 Recommended Budget Org. 8925, Fund 1060, Account 7100.

DISCUSSION:

On May 15, 2018, an on-duty Sheriff's Deputy rear-ended Claimant as she was stopped at a red light. Claimant suffered damage to her vehicle and personal injuries. The County paid for Claimant's vehicle damage, but she sued the County for her personal injuries. On May 9, 2023, your Board authorized settlement in the total amount of \$98,726, of which \$8,726 has already been paid for the vehicle. A further payment of \$90,000 will fully resolve Claimant's lawsuit against the County and its employees arising from this incident.

REFERENCE MATERIAL:

On file with Clerk - Settlement Agreement and Release

CAO ANALYST:

Ahla Yang