



Board Agenda Item 37

DATE: February 10, 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>
GHC0089609	Magales Urvina Velasquez
GHC0091316	Eloise Buckskin
GHC0091328	Rosamaria Saldivar
GHC0091337	Janna Phaphon, Jorin Phanthavong, Karian Phaphon, and Michael Phanthavong
GHC0091443	Elio Gamez
GHC0091545	A Minor
GHC0091565	Linda Her
GHC0091689	A Minor
GHC0091693	Lisa Farias
GHC0091888	Ruben Gonzales
GHC0091890	Jesse James III Reza and Ruben Contreras
GHC0091953	Joseph Commins
GHC0092176	Silvia Aldana

Summary of Claims

Magales Urvina Velasquez - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges a Sheriff Deputy rear-ended the vehicle she was a passenger in near the intersection of Ashlan Avenue and Harrison Avenue, Fresno CA, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Leon Panossian. This incident is alleged to have occurred in District 2.

Eloise Buckskin - Claimant claims in excess of \$50,000 and alleges Sheriff Deputies did not intervene when she was criminally detained and assaulted by private security company officers, which was the proximate cause of the claimant's injuries. The deputies were dispatched to assist with a dispute at Cold Springs Rancheria. Claimant allegedly trespassed into a tribal office and deputies were present to make sure peace was kept. Claimant is represented by attorney Miiko Anderson. This incident is alleged to have occurred in District 5.

Rosamaria Saldivar - Claimant claims \$1,000,000 and alleges the hazardous condition of the sidewalk at or near Amador Street and Van Ness Street, Fresno CA, caused her to trip and fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney David Azizi. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Janna Phaphon, Jorin Phanthavong, Karian Phaphon, and Michael Phanthavong - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and they allege the hazardous condition of the public property located at or near N. De Wolf Avenue and E. Shields Avenue, Fresno CA, caused the death of their mother who was hit by a vehicle as she walked on the road, which was the proximate cause of the claimants' injuries. Traffic collision report stated claimants' mother was under the influence of a drug. Claimants are represented by attorney Daniel Setareh. This incident is alleged to have occurred in District 5.

Elio Gamez - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges while he was incarcerated at the Fresno County Jail, he was physically assaulted, threatened, denied food and water by County Jail staff, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Kevin Little. This incident is alleged to have occurred in District 3.

A Minor - Claimant claims \$2,000,000 and alleges while he was entering his classroom, the teacher suddenly and without warning closed the door on him, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Kara Homsey. This incident does not involve the County of Fresno because it is alleged to have involved Fresno Unified School District.

Linda Her - Claimant claims \$100,000,000 and alleges an open exposed water meter cover caused her to trip and fall as she walked on E. Ashlan Ave, Fresno CA, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Caleb Blumenshine. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

A Minor - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he was playing near a playground and cut his arm on a poorly maintained chain link fence, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Darin Spiegel. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Lisa Farias - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she resides at Hope Pointe and when she came out of her room she slipped on water, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Nicole Darvish. This incident does not involve the County of Fresno because the County does not own or maintain Hope Pointe.

Ruben Gonzales - Claimant claims in excess of \$1,000,000 and alleges the traffic control lights at the intersection of 13th Street and Route 33, Firebaugh, CA, were inoperable causing another vehicle to collide into his vehicle, which was the proximate cause of the claimant's injuries. Claimant is 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 Firebaugh.

Jesse James III Reza and Ruben Contreras - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege Fresno County Jail correctional staff's negligence caused the death of decedent Ruben Contreras Jr., who died from a fatal overdose of fentanyl, which was the proximate cause of the claimant's injuries. Claimants are represented by Kevin Little. This incident is alleged to have occurred in District 3.

Joseph Commins - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges an empty tree grate at or near 727 Van Ness Avenue, Fresno CA, caused him to fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Aaron Brown. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Silvia Aldana - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she was out running at or near 5771 N. Hazel Avenue, Fresno CA, when she tripped over an elevated cement slab, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Katherine Smith. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolutions Rejecting Claims for Damages (13)

CAO ANALYST:

Sevag Tateosian