



Board Agenda Item 36

DATE: July 14, 2026

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 (NCC) 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 NCC 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 (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>
GHC0096891	Susana Osuna
GHC0096950	Nathan Cerna
GHC0097373	Felipe Moreno Curiel
GHC0097155	Alfredo Ramos
GHC0097377	Carlos Mendoza Jr.
GHC0097594	Estela Vazquez Arriaga, Brittney Lupita Abundis, and Diego Zarate Garcia

Application for Leave to Present a Late Claim for Damages

<u>Claim No.:</u>	<u>Claimant</u>
GHC0096020	Charis Barnett

Summary of Claims

Susana Osuna - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges the hazardous condition of the sidewalk at or near 1922 Bauder Street, Selma CA, caused her to trip and fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Daniella Krashenny. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Selma.

Nathan Cerna - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he was walking on the sidewalk at or near the front of 718 S. Archie Avenue, Fresno CA, and slipped and fell due to a pile of leaves, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Bryce Kroetz. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Felipe Moreno Curiel - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he was driving a tractor that was rear-ended by an officer, which was the proximate cause of the claimant's injuries. The California Highway Patrol report confirmed the officer involved was not an employee of the County. Claimant is represented by attorney Ramin Younessi. This incident does not involve the County of Fresno because it is alleged to have involved an off-duty officer from the City of Parlier Police Department.

Alfredo Ramos - Claimant claims \$50,000,000 and alleges he has been subjected to ongoing harassment by personnel associated with various County departments, which was the proximate cause of the claimant's injuries. A notice of insufficiency was mailed to claimant because he did not specify the date of loss, location of loss, and employees or departments involved in alleged harassment. Claimant did not amend his insufficient claim. Claimant is not represented by an attorney. This claimant did not provide the location of the alleged incident.

Carlos Mendoza Jr. - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges the County failed to maintain the interface between the roadway and canal at E. Herndon Avenue

and N. Madsen Avenue, Clovis CA, in a reasonably safe condition, resulting in claimant departing from the road and entering into the canal causing a fatal injury, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Benjamin Drake. This incident is alleged to have occurred in District 5.

Estela Vazquez Arriaga, Brittney Lupita Abundis, and Diego Zarate Garcia - Claimants claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege the hazardous condition of the intersection at Elm Avenue and Conejo Avenue, Caruthers CA, caused them to be in a motor vehicle accident, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Justin Farahi. This incident is alleged to have occurred in District 4.

Summary of Application for Leave to Present a Late Claim

Charis Barnett - Claimant claims \$222,000,000,000 and alleges her backpack was confiscated by the police and not returned, causing her to lose her house rental receipts, credit cards, and debit cards, which was the proximate cause of the claimant's injuries. Claimant alleges the claim is not untimely because she was hospitalized for an extended period but did not specify when. The claim was submitted about four years and four months 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 claimant did not provide the location of the alleged incident.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolutions Rejecting Claims for Damages (6)

On file with Clerk - Resolution Denying Application for Leave to Present a Late Claim (1)

CAO ANALYST:

Sevag Tateosian