



# Board Agenda Item 41

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DATE: October 21, 2025

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>                                                           |
|-------------------|------------------------------------------------------------------------------|
| 11478             | Tracie Blades                                                                |
| GHC0087889        | Angel Aguilar                                                                |
| GHC0087895        | Josiah Espinoza-Navarro and Daniel Ovalle Llamas                             |
| GHC0088036        | Aaron Ortiz, Ritchie Ortiz, Pablo Ortiz, Desiree Ortiz, and Arthur Ortiz Jr. |
| GHC0088233        | Rosa Orozco                                                                  |
| GHC0088258        | A Minor                                                                      |
| GHC0088319        | Yocelin Dominguez Navarrete                                                  |
| GHC0088403        | Alejandra Zuniga                                                             |

### Summary of Claims

Tracie Blades - Claimant claims \$5,000,000 and alleges her son was abruptly and unlawfully removed from her custody without a proper hearing, which was the proximate cause of the claimants' injuries. Claimant is not represented by an attorney. This incident is alleged to have occurred in District 1.

Angel Aguilar - Claimant claims in excess of \$15,000 and alleges he was rear-ended at a red light on McKinley Avenue by an employee, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney David Ibarra. This incident does not involve the County of Fresno because it is alleged to have involved a City of Fresno employee.

Josiah Espinoza-Navarro and Daniel Ovalle Llamas - Claimants each claim in excess of \$1,000,000 and allege two government-owned vehicles were in an active pursuit when the defendant driver collided with their vehicle, which was the proximate cause of the claimants' injuries. Claimant is represented by attorney Mario Valladares. This incident does not involve the County of Fresno because it was confirmed with the County Sheriff's office that they were not involved in a vehicle pursuit on the date of loss.

Aaron Ortiz, Ritchie Ortiz, Pablo Ortiz, Desiree Ortiz, and Arthur Ortiz Jr. - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and allege the hazardous condition of the public property at the railroad crossing at or near N. Fruit Avenue, Fresno CA, caused the death of their mother, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Elizabeth Hernandez. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Rosa Orozco - Claimant claims in excess of \$1,000,000 and alleges the dangerous condition of the sidewalk at or near 14568 W. F Street, Kerman CA, caused her to slip and fall, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Anna Okhovat. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Kerman.

A Minor - Claimant claims \$100,000,000 and alleges she is a special needs student who requires assistance and was forced to use the stairwell because the school's elevator was nonoperational, 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 involved Fresno Unified School District.

Yocelin Dominguez Navarrete - Claimant claims \$60,000 and alleges the hazardous condition of the intersection at or near State Route 41 and Floral Avenue, Fresno CA, caused her vehicle to be struck by a

school bus, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Edward O'Campo. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of Caltrans.

Alejandra Zuniga - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges her supervisors retaliated against her because she reported the misconduct of a colleague, which was the proximate cause of the claimant's injuries. Claimant is employed with the County of Fresno Probation Department. Claimant is represented by attorney Kevin Little. 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)

CAO ANALYST:

Sevag Tateosian