



Board Agenda Item 31

DATE: May 12, 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 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>
GHC0093700	Erika Celina Lopez as Hier and Estate of Domingo Delfino Lopez
GHC0094405	Maria Gonzalez
GHC0094559	Daniel Sanchez
GHC0094758	Cherie Darby
GHC0094788	Jaillyn Maldonado Alvarez
GHC0094952	Suzana Lopez Servin
GHC0095177	Jessica Carmona
GHC0095191	Charonne Alexis Bess
GHC0095194	Anthony Baggett
GHC0095371	Grant Harrington

Summary of Claims

Erika Celina Lopez as Hier and Estate of Domingo Delfino Lopez - Claimant claims \$25,000,000 and alleges decedent Domingo Lopez was struck by another vehicle at the intersection of Goldenrod Avenue and Belmont Avenue, Kerman CA, which was the proximate cause of the claimant's injuries. The claim was returned as insufficient because the claimant did not establish how they alleged the County was at fault. Claimant did not submit an amended claim. Claimant is represented by attorney Nabil Freij. This incident is alleged to have occurred in District 1.

Maria Gonzalez - Claimant claims in excess of \$1,000,000 and alleges she encountered a dangerous condition at or near the public property located at 525 S. Clovis Avenue, Fresno CA, and unexpectedly fell when she tripped on an unmarked speed bump, 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.

Daniel Sanchez - Claimant claims \$100,000,000 and alleges he was waking in a parking lot within the premises of 5175 E. Clinton Way, Fresno CA, when he tripped and fell over an unmarked, deteriorating concrete curb, 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 the County does not own or maintain Fresno Yosemite International Airport parking lots.

Cherie Darby - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she drove over an unsecured metal cover near the intersection of Temperance Avenue and Belmont Avenue, Fresno CA, that became dislodged from its position and collided into her vehicle, which was the proximate cause of the claimant's injuries. The intersection has split jurisdiction between the County and the City of Fresno. The traffic collision report confirmed the metal cover is City of Fresno's jurisdiction. Claimant is represented by attorney Hal Farley. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Fresno.

Jaillyn Maldonado Alvarez - Claimant claims in excess of \$500,000 and alleges a FAX bus failed to yield at the intersection of Blackstone Avenue and Harvard Avenue, Fresno CA, and collided into her vehicle, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Nicole Nosratian. This incident does not involve the County of Fresno because the County does not own or operate FAX buses.

Suzana Lopez Servin - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she slipped on water caused by a leak from bathroom wall in the residence located at 1420 E. Nelson Street, Fowler CA, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Mariam Danielyan. This incident does not involve the County of Fresno because it is alleged to have occurred within a Fresno Housing Authority building.

Jessica Carmona - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she was at the Department of Behavioral Health building located at 4441 Cesar Chavez Boulevard, Fresno CA, and slipped and fell due to water on the restroom floor, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Lindy Munoz. This incident is alleged to have occurred in District 3.

Charonne Alexis Bess - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges her infant child was removed from her custody without adherence to proper procedures and without adequate efforts to consider available caregivers, which was the proximate cause of the claimant's injuries. Claimant is not represented by an attorney. This incident is alleged to have occurred in District 5.

Anthony Baggett - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he was walking along Glenn Avenue near its intersection with Swift Avenue in Fresno CA and his right foot plunged into an open storm drain, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Daniel Setareh. This incident is alleged to have occurred in District 2.

Grant Harrington - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he was at a Fresno State Football game, and a CSC security officer forcefully shoved him as he approached his son who was a football player, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Mariam Danielyan. This incident does not involve the County of Fresno because the County does not own or maintain Valley Children's Stadium, and CSC security officers are not County employees.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolutions Rejecting Claims for Damages (10)

CAO ANALYST:

Sevag Tateosian