



Board Agenda Item 51

DATE: June 10, 2025

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 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>
11398	Mercedes Ramos and Ronald Ramos
11401	A Minor
11402	A Minor
11408	Karla Esquivel Sandoval
11425	Joseph Quinney
11426	Elio Gamez
11435	Sandra Flores and Two Minors
11430	Vanessa Huang and Joseph Hsu

Application for Leave to Present a Late Claim for Damages

<u>Claim No.:</u>	<u>Claimant</u>
11413	Anthony Carranza

Summary of Claims

Mercedes Ramos and Ronald Ramos - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and claimant Mercedes Ramos alleges she tripped over a concrete deck post block that had no post at or near 4885 N Biola Ave, CA 93723, which was the proximate cause of the claimant's injuries. Claimant Ronald Ramos alleges loss of consortium due to the alleged injury to claimant Mercedes Ramos, who is his wife. Claimants are represented by attorney Robert Williams. This incident is alleged to have occurred in District 1.

A Minor - Claimant claims an unspecified amount and alleges Reedley Police Officers used excessive force when they were detained, which was the proximate cause of the claimant's injuries. Claimant is not represented by an attorney. This incident does not involve the County of Fresno because it is alleged to have involved Reedley Police Department.

A Minor - Claimant claims \$100,000 and alleges a Reedley Police Officer targeted him on private property and used excessive force when detained, which was the proximate cause of the claimant's injuries. Claimant is not represented by attorney. This incident does not involve the County of Fresno because it is alleged to have involved Reedley Police Department.

Karla Esquivel Sandoval - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges she was seated in class when a light fixture cover fell from the ceiling and struck her head, which was the proximate cause of the claimant's injuries. Claimant is represented by attorney Jane Volfson. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of Fresno Unified School District.

Joseph Quinney - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he is visually impaired and was released from the Fresno County Jail without his walking stick, 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.

Elio Gamez - Claimant claims in excess of \$35,000 (the jurisdictional amount for limited civil cases) and alleges he suffered a broken scapula during an arrest and Fresno County Jail failed to provide the necessary medical treatment, 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 1.

Sandra Flores and Two Minors - Claimants each claim \$7,000,000 and they allege the dangerous flood condition that was present on the Northbound Lane of Reed Avenue, Reedley CA 93654, caused the death of her son who crashed to avoid the flooded road, which was the proximate cause of the claimants' injuries. The two Minors, who are siblings of decedent, allege emotional distress. Claimants are represented by attorney John Falcocchia. This incident is alleged to have occurred in District 4.

Vanessa Huang and Joseph Hsu - Claimants each claim in excess of \$35,000 (the jurisdictional amount for limited civil cases) and they allege a hazardous condition of the road at the intersection of Bethel Avenue and Almond Avenue, Sanger CA 93657, resulted in the death of their son, who was crossing the street at the time of incident, which was the proximate cause of the claimants' injuries. Claimants are represented by attorney Ian Wallach. This incident does not involve the County of Fresno because it is alleged to have occurred in the jurisdiction of the City of Sanger.

Summary of Application for Leave to Present a Late Claim

Anthony Carranza - Claimant claims \$100,000,000 and alleges he was riding his electric longboard at or near the intersection of E Dakota Avenue and N Millbrook Avenue, Fresno CA 93726 and the wheel of his longboard stuck a poorly-maintained pile of gravel that caused him to fall, which was the proximate cause of the claimant's injuries. Claimant alleges mistake, inadvertence, and excusable neglect because he mis-calendared the six-month deadline to file a claim for damages. The claim was submitted a year after the date of loss. The CRC recommends that this late claim application be denied because it is not County's jurisdiction and 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 represented by attorney Caleb Blemenshine. 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 (8)
On file with Clerk - Resolution Denying Late Claim for Damages

CAO ANALYST:

Sevag Tateosian