



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: January 5, 2016

Subject: Public report of litigation settlement agreements that became final during the period of November 1, 2015 through November 30, 2015.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of November 1, 2015 through November 30, 2015, as recommended by County Counsel.

FISCAL IMPACT:

Settlement amounts are listed below.

BACKGROUND:

Three agreements to settle pending litigation, as defined in Government Code section 54956.9, became final during the period of November 1, 2015 through November 30, 2015.

County of Contra Costa v. Oscar A. Salazar, et al., CCC Superior Court Case No. C14-01719. On September 22, 2015, the Board of Supervisors authorized settlement of a lawsuit involving a defaulted subdivision. The defendant agreed to pay the County \$10,000 in settlement of the lawsuit. The settlement was authorized in closed session by a 5-0 vote. The settlement became final on November 17, 2015.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/05/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 5, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Thomas Geiger, (925)
335-1800

BACKGROUND: (CONT'D)

Emily Kenyon v. Contra Costa County Public Works Department, CCC Superior Court Case No. C13-02255. On October 6, 2015, the Board of Supervisors approved settlement of this dangerous condition lawsuit. Settlement in the amount of \$27,500 was authorized in closed session by a 5-0 vote. The settlement agreement was fully executed on November 13, 2015. The funding source is the Risk Management Liability Internal Service Fund.

In re ADP, Inc., Software Agreement. As part of a settlement agreement resolving a contract dispute, the parties agreed to terminate the contract and the County agreed to make a final contract payment of \$167,921.28. The Board of Supervisors authorized settlement on July 21, 2015, in closed session by a 4-0 vote, Supervisor Gioia absent. The settlement became final on November 10, 2015. The funding source is the General Fund.

This report includes final settlements of litigation matters handled by the Office of the County Counsel. This report does not include litigation settlements that were reported by the Risk Management Division of the County Administrator's Office as a consent item on the Board's open session agenda.

CONSEQUENCE OF NEGATIVE ACTION:

The report would not be accepted.

CHILDREN'S IMPACT STATEMENT:

None.