



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: March 1, 2016

Subject: Public report of litigation settlement agreements that became final during the period of December 15, 2015 through January 31, 2016.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of December 15, 2015 through January 31, 2016, 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 December 15, 2015 through January 31, 2016.

Lane Bauldry v. County of Contra Costa, et al., USDC Case No. C12-3943 CRB (ND Cal.). On November 17, 2015, the Board approved settlement of this lawsuit arising out of the plaintiff's arrest. Settlement in the amount of \$165,000, inclusive of attorneys fees and costs, was authorized in closed session by unanimous vote of all five members present. The settlement agreement was fully executed on January 4, 2016. The funding source is the Risk Management Liability Internal Service Fund.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/01/2016** ☒ 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: March 1, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Thomas Geiger,
335-1800

BACKGROUND: (CONT'D)

Theresa Orth v. Contra Costa County, et al., CCC Superior Court Case No. C14-00939. On December 15, 2015, the Board approved settlement of this personal injury lawsuit. Settlement in the amount of \$200,000, inclusive of attorneys fees and costs, was authorized in closed session by unanimous vote of all five members present. The settlement agreement was fully executed on December 15, 2015. The funding source is the Risk Management Liability Internal Service Fund.

Sergio de Jesus Garcia v. Contra Costa County, et al., CCC Superior Court Case No. C14-00484 and USDC Case No. C15-00488 MMC (ND Cal.). On December 15, 2015, the Board approved settlement of these two lawsuits involving civil rights and state law claims. Settlement in the amount of \$140,000, inclusive of attorneys fees and costs, was authorized in closed session by unanimous vote of all five members present. The settlement agreement was fully executed on December 21, 2015. The funding source is the Risk Management Liability Internal Service 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:

N.A.