



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: March 21, 2017

Subject: Public report of litigation settlement agreements that became final during the period of December 14, 2016, through February 28, 2017.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of December 14, 2016, through February 28, 2017, 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 14, 2016, through February 28, 2017.

Contra Costa County v. Servico Concord, Inc., et al., CCC Sup. Ct. Case No. C13-00958. This was a quiet title action to obtain clear title to a modular building. It was agreed that in exchange for dismissal of the lawsuit, the Sheriff's Office will be allowed to continue using the building and pay \$64.50 a month for utility costs until the Sheriff's Office vacates the building. The Board of Supervisors authorized the settlement on February 7, 2017, in closed session by a 5-0 vote. The settlement agreement was fully executed on February 9, 2017.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/21/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor
Karen Mitchoff, District IV
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 21, 2017

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

By: Stacey M. Boyd, Deputy

Contact: Thomas Geiger, (925)
335-1800

Yolanda Dozier v. County of Contra Costa, et al., USDC Case No. C16-00950 (N.D. Cal.).
On December 13, 2016, the Board approved settlement of this lawsuit involving civil rights
and ADA claims.

BACKGROUND: (CONT'D)

Settlement in the amount of \$475,000, inclusive of attorneys fees and costs, was authorized in closed session by a 5-0 vote. The settlement agreement was fully executed on February 15, 2017. The funding source is the Risk Management Liability Internal Service Fund.

Robert L. Carby, et al., v. Contra Costa County, CCC Superior Court Case No. C13-02201. On December 6, 2016, the Board approved settlement of this wrongful death lawsuit. Settlement in the amount of \$300,000, inclusive of attorneys fees and costs, was authorized in closed session by a 5-0 vote. The settlement agreement was fully executed on December 14, 2016. The funding source is the Risk Management Medical Malpractice 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.