



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: June 26, 2018

Subject: Public report of litigation settlement agreements that became final during the period of March 1, 2018, through May 31, 2018.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of March 1, 2018, through May 31, 2018, as recommended by County Counsel.

FISCAL IMPACT:

Settlements amounts are listed below.

BACKGROUND:

Two agreements to settle pending litigation, as defined in Government Code section 54956.9, became final during the period of March 1, 2018, through May 31, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **06/26/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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: June 26, 2018

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

Contact: Thomas L. Geiger,
(925) 335-1800

By: Stacey M. Boyd, Deputy

cc:

BACKGROUND: (CONT'D)

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Ambac Bond Insurance Cases, S.F. Superior Court Case No. CJC-08-004555 (JCP 4555). On December 12, 2017, the Board approved settlement of this lawsuit involving bond insurance credit ratings. The County's share of a settlement among multiple plaintiffs with defendants MBIA, Inc., MBIA Insurance Corp., National Public Finance Guarantee Corp., and Jason Kissane is \$38,494.46. Settlement was authorized in closed session by a 5-0 vote. The settlement agreement was fully executed on March 12, 2018.

In re Fox Ortega Enterprises, Inc., dba Premier Cru, U.S. Bankruptcy Court Case No. 16-40050-WJL (N.D. Cal.). On April 17, 2018, the Board approved settlement of this bankruptcy case involving the use of a debtor corporation's assets for payment of residential property taxes. The Board authorized the County Auditor to pay \$20,721 to the bankruptcy trustee to settle the case. Approximately \$1,985 of this amount will come from the County General Fund, with the remaining amount allocated among local government entities. Settlement was authorized in closed session by a 5-0 vote. The settlement agreement became final on April 30, 2018.

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.