



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: July 14, 2020

Subject: Public report of litigation settlement agreements that became final during the period of April 1, 2020, through May 31, 2020.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of April 1, 2020, through May 31, 2020, as recommended by County Counsel

FISCAL IMPACT:

Settlement amounts are listed below.

BACKGROUND:

Three agreements to settle pending litigation, as defined by Government Code section 954956.9, became final during the period of April 1, 2020, through May 31, 2020.

Megan Beach v. Sheena M. Glover, et al., CCC Superior Court Case No. C17-00077. On March 31, 2020, the Board approved settlement of this dangerous condition lawsuit. The Board authorized settlement in the amount of \$10,900,000, inclusive of attorney's fees and costs, in closed session by a 4-0 vote. Supervisor Glover recused himself. The settlement agreement was fully executed on April 22, 2020. The County will cover up to \$600,000 of the total settlement amount. The funding source for the County portion is the Risk Management Liability Internal Service Fund. The County's excess carriers will cover the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/14/2020** ☒ 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: July 14, 2020

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

By: Stephanie Mello, Deputy

Contact: Thomas Geiger, (925)
335-1800

remaining portion

BACKGROUND: (CONT'D)

of the settlement amount.

La'shurn Ferrell, et al. v. County of Contra Costa, et al., CCC Superior Court Case No. C18-01606. On April 14, 2020, the Board approved settlement of this employment lawsuit. The Board authorized settlement in the amount of \$200,000, inclusive of attorney's fees and costs, in closed session by a 5-0 vote. The settlement agreement was fully executed on May 12, 2020. The funding source is the Risk Management Liability Internal Fund.

Nicholas Jacobson v. Jane T. Himmelvo, et al., USDC Case No. C19-01716 WHA (N.D. Cal.). On April 14, 2020, the Board of Supervisors approved settlement of this civil rights lawsuit. The Board authorized settlement in the amount of \$60,000, inclusive of attorney's fees and costs, in closed session by a 5-0 vote. The settlement agreement was fully executed on April 29, 2020. 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.