



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: February 2, 2021

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

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of October 1, 2020, through December 31, 2020, 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 October 1, 2020, through December 31, 2020.

Peter King v. Contra Costa County, et al., USDC Case No. C20-00462 SBA (N.D.Cal.) On October 13, 2020, the Board approved settlement of this over-detention lawsuit. The Board authorized settlement in the amount of \$92,500, inclusive of attorney's fees and costs, in closed session by a 5-0 vote. The settlement agreement was fully executed on November 5, 2020. 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: **02/02/2021** ☒ 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: February 2, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Thomas L. Geiger, Assistant County Counsel, (925) 655-2200

By: Stacey M. Boyd, Deputy

Hernandez v. Contra Costa County, et al., USDC Case No. C20-01183 AGT (N.D.Cal.) On October 20, 2020, the Board approved

BACKGROUND: (CONT'D)

settlement of this excessive force lawsuit. The Board approved settlement in the amount of \$262,500, inclusive of attorney's fees and costs, in closed session by a 5-0 vote. The settlement agreement was fully executed on November 5, 2020. The funding source is the Risk Management Liability Internal Service Fund.

Eddie Thomas, Jr., et al. v. Contra Costa County, et al., USDC Cse No. C19-08056 LB (N.D.Cal.) On December 8, 2020, the Board approved settlement of this warrantless entry lawsuit. The Board authorized settlement in the amount of \$98,000, inclusive of attorney's fees and costs, in closed session by a 5-0 vote. The settlement agreement was fully executed on December 14, 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. The 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.