



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Human Resources



Date: November 6, 2014
Board Meeting Date: December 9, 2014
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Donna Vaillancourt, Director, Human Resources Department
Scott Johnson, Deputy Director, Human Resources Department

Subject: Disposition of Claims Filed Against County

RECOMMENDATION:

Report recommending the denial of claims (Non-culpable)

BACKGROUND:

Under authority of section 2.10.070 of the Ordinance Code, the County Manager has designated the Director to process claims filed against the County. Further investigation may indicate justification for payment by the County. If so, payment will be made under the authority of the Risk Manager or will be brought back to the Board.

DISCUSSION:

The Risk Management Division has reviewed these claims and recommends that you take the following action.

<u>Claim #</u>	<u>Claimant</u>	Recommended Board Action and Basis	
		Claims recommended for denial:	
G13-085	Christman, William	5/2/14-10/8/14	Non-culpable
	Claimant alleges lost personal property while at the Maguire Facility in Redwood City.		
G13-086C	Cordano, Jessica	4/28/14	Non-culpable
	Claimant alleges damages due to alleged release of personal information of her spouse.		

<u>Claim #</u>	<u>Claimant</u>	Recommended Board Action and Basis	
	Claims recommended for denial:		
G13-086	Cordano, Neali	4/28/14	Non-culpable
	Claimant alleges damages due to the alleged release of personal information.		
G13-086B	Cordano, Skyler	4/28/14	Non-culpable
	Claimant alleges damages due to the alleged release of personal information of her parent.		
G14-021	Cunningham, Diondra	9/17/14	Non-culpable
	Claimant alleges damages while at the San Mateo County Women's Correctional Center.		
G13-084	Evans, Zishan S.	4/26/14	Non-culpable
	Claimant alleges personal injuries and damages from a motorcycle accident due to the dangerous conditions at the incident site and surrounding areas on Susan Drive in San Bruno.		
G13-087	Johnson, Eric J.	4/30/14	Non-culpable
	Claimant alleges damages and injuries due to being hit while being booked into the Redwood City jail.		
G13-089	McDougall, Jonathan as Guardian Ad Litem for Jane Doe, a minor	6/1/14 and 8/7/14	Non-culpable
	Claimants allege damages to their health, welfare, and safety by a County of San Mateo employee.		
G14-020	Mora, Reginald E. aka Wilsey	10/20/14	Non-culpable
	Claimant alleges lost personal property while at the San Mateo County jail.		
G14-022	Occhipinti, Salvatore	10/29/14	Non-culpable
	Claimant alleges his parked vehicle was hit by a meter maid on San Carlos Avenue in San Carlos.		
G14-018	Phelps Sr., Samuel Shawn	10/17/14	Non-culpable
	Claimant alleges lost personal property upon release from jail.		

APPLICATION FOR LEAVE TO PRESENT A LATE CLAIM

<u>Claim #</u>	<u>Claimant</u>	Recommended Board Action and Basis
M13-040	Ganley, Stephen	No statutory basis for excuse

Claimant was examined and worked up in SMMC Clinic and given anti-viral medication on February 13, 2014 by Jeanette Aviles, M.D. He was told to return for follow up within a month but failed to do so. He eventually returned to the clinic in April 2014, and was evaluated for possible hepatitis (a potential risk of the medication), but likely did not have liver disease.

On October 8, 2014 his lawyer presented a claim falsely alleging he had been improperly prescribed the medication on May 8, 2014 (which would have made the claim timely if that were the date of prescription.) The claim was returned as untimely, as it was presented nearly 8 months after the medication was prescribed and administered, and the attorney was advised he had the right to seek permission to submit a late claim.

The petition to submit a late claim was received by the clerk on November 19, 2014. He is required to show excusable mistake or neglect as a basis for his tardiness. The only fact alleged as to mistake is the repetition of the false statement that he did not become aware of the effects of the medication until May 8. Therefore, it is our recommendation that his application for permission to submit a late claim be denied by the Board.

Careful consideration of these claims contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring fair and equitable handling of all claims while conserving financial resources and protecting assets.