

## MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Independent Living Center of Southern California v. City of Los Angeles, et al., United States (U.S.) District Court Case No. CV12-0551 (litigation against the City of Los Angeles concerning the Americans with Disabilities Act (ADA) compliance matters relating to the CRA/LA, a Designated Local Authority and Successor for the former Community Redevelopment Agency of the City of Los Angeles); and, pursuant to Government Code Section 54956.9(d)(2)/(e)(2), significant exposure to litigation in relation to the U.S. Department of Justice investigation in connection with the Fair Housing Act, ADA and the Rehabilitation Act of 1973; and in relation to negotiations regarding a Voluntary Compliance Agreement with the U.S. Department of Housing and Urban Development), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE a settlement agreement including, but not limited to, the following:
  - a. The City will make an average annual expenditure of at least \$20 million over the ten-year term of the agreement for either the rehabilitation of current, non-compliant housing, or the construction of new housing which complies with all applicable State and Federal law.
  - b. The City will adopt a rigorous monitoring and inspection protocol.
  - c. The City's Housing and Community Investment Department will require City-assisted housing managers to adopt and implement uniform marketing and leasing policies.
  - d. The City will build upon an existing internet-based registry of affordable housing units.
  - e. The City will develop and implement a curriculum to train City housing staff, owners and property managers about their disability rights obligations.
  - f. The City agrees to pay for the creation of an accessible housing unit plan (in an amount not to exceed \$600,000) and for the fees and costs of a Settlement Coordinator and Court-appointed Monitor.
2. AUTHORIZE the City Administrative Officer's (CAO) Office to pay Plaintiffs' negotiated damages figure of \$4.5 million to Relman, Dane & Colfax, PLLC, counsel of record for Plaintiffs, and AUTHORIZE the CAO's Office to draw a demand from an appropriate fund as determined by the CAO's and the City Attorney's Offices.
3. AUTHORIZE the CAO's Office to pay up to \$1 million in costs to Relman, Dane & Colfax, PLLC, counsel of record for Plaintiffs, and authorize the CAO's Office to draw a demand from an appropriate City fund, for all such costs which the City Attorney's Office determines are appropriate, but in no event more than \$1,000,000, payable to Relman, Dane & Colfax, PLLC.

4. AUTHORIZE the CAO's Office to pay up to \$20 million in attorney's fees to Relman, Dane & Colfax, PLLC, counsel of record for Plaintiffs, and AUTHORIZE the CAO's Office to draw a demand from the appropriate City fund, for all such fees which the CAO's Office and the City Attorney's determine are appropriate, but in no event larger than \$20,000,000, payable to Relman, Dane & Colfax, PLLC.
5. AUTHORIZE the City Attorney's Office to execute all documents necessary to effectuate the Settlement Agreement.
6. AUTHORIZE the City Attorney's Office to prepare Controller's instructions for the implementation of the monetary payments authorized under the Agreement, subject to the approval of the City Administrative Officer, and authorize the Controller to implement these instructions.

PRESENTED BY \_\_\_\_\_  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
HERB WESSON  
Councilmember, 10th District