

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect payment of attorney’s fees and costs and settlement in the case entitled Venice Justice Committee, et al. v. City of Los Angeles, et al., United States District Court Case No. 2:16-CV-01115-DDP-SS (the pending litigation concerns Los Angeles Municipal Code [LAMC] Section 42.15.) SUBJECT TO THE APPROVAL OF THE MAYOR:

- 1. AUTHORIZE the City Attorney to pay **\$80,000** for Plaintiff’s attorneys’ fees and costs in the above-entitled matter.
- 2. AUTHORIZE the City Attorney to settle the above-entitled matter along the following proposed terms:
 - a. The City agrees to change the language of LAMC Section 42.15 in two places as follows:

- i. Subsection E.9 would be amended to read: **Except as provided in Subsection F.1**, *no Person shall set up or set down items in, take down items from or block, or attempt to reserve a Designated Space between Sunset and 9:00 a.m.*
- ii. Subsection F would be amended to change the title of Subsection F (as set forth below), and to insert a new F-1 (the current F-1 and F-2 would be renumbered F-2 and F-3, respectively)

F. Additional Rules for Activities in the Designated Spaces, and Areas Outside of the Designated Spaces, Pagodas, and Recreation Area.

1. Use of the Designated Spaces After Sunset.

No Vending or Performing may occur in the Designated Spaces between Sunset and 9:00 a.m. After Sunset, First Amendment activities, including but not limited to petition gathering, political speech or other protected expressive activity may occur in the Designated Spaces. A person engaging in First Amendment activities between Sunset and midnight may use one table not to exceed 4 feet by 6 feet in connection with those activities. The table must be removed from the Designated Space when the individual leaves and, at the latest, at midnight.

- 3. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Blumenfield – Bonin: “Yes”) at its meeting on October 1, 2018, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
BOB BLUMENFIELD
Councilmember, 3rd District

REW
CF 18-0638
October 1, 2018

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