

ITEM NO. 64

12/11/18 Council – Regular Meeting Agenda
Closed Session

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Julie Wagner et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC669058 (this matter arises from an incident in Sherman Oaks in which a parkway tree fell during a storm knocking down power lines and causing the death of a pedestrian) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$150,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$150,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts.
3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts as follows:
 - a. \$5,000 made payable to Miller and Steele Law Firm and Dario Gonzales, guardian ad litem for Trevor Alex Wagner Gonzales.
 - b. \$70,000 made payable to Miller and Steele Law Firm and Laura Gonzalez.
 - c. \$75,000 made payable to Miller and Steele Law Firm and Julie Wagner.
4. 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 Chair and Member of the Budget and Finance Committee (Krekorian – Bonin: “Yes”) on December 3, 2018, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
MIKE BONIN
Councilmember, 11th District