

ITEM NO. 36

1/23/19 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 Smith v. City of Los Angeles, Los Angeles Superior Court Case No. BC660301 (this litigation alleges inverse condemnation and seeks damages caused by a landslide), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney, or designee, to execute the settlement agreement and all other documents necessary to implement the settlement.
2. AUTHORIZE the City Attorney to expend up to **\$3,300,000** in settlement of the above-entitled matter.
3. AUTHORIZE the Controller to transfer \$3,300,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009793, Public Works, Engineering Liability Payouts.
4. AUTHORIZE the City Attorney to draw demands from Fund No. 100/59, Account No. 009793, Public Works, Engineering Liability Payouts as follow:
 - a. \$3,180,000 to Integrity Joint Control, Inc. Reference Case No. BC660301.
 - b. \$60,000 to Steven A. Blum Attorney Client Trust Account.
 - c. \$60,000 to Law Offices of Karen A. Clark, Inc. Client Trust Account
5. 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 – Koretz – Blumenfield – Bonin: “Yes”) at a meeting on January 14, 2019, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
PAUL KORETZ
Councilmember, 5th District