

ITEM NO. 35

02/05/20 Council – Regular Meeting Agenda
Closed Session

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Ke Zhang, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. BC704248 (this matter arises from an incident where branches from a 65-year-old Eucalyptus tree in the parkway at 415 Gayley Avenue fell on a Sports Utility Vehicle injuring the three occupants), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$2,000,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$2,000,000 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: Greene Broillet and Wheeler, LLP and Ke Zhang, Baoping Zhao, and Melanie Zhao in the amount of \$2,000,000.
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 Budget and Finance Committee (Krekorian – Price – Koretz – Blumenfield: “Yes”) at its meeting on January 27, 2020, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____

CURREN D. PRICE, JR
Councilmember, 9th District