

# CITY OF LOS ANGELES

CALIFORNIA

**HOLLY L. WOLCOTT**  
City Clerk

**GREGORY R. ALLISON**  
Executive Office

When making inquiries relative to  
this matter, please refer to the  
Council File No.



**ERIC GARCETTI**  
MAYOR

Office of the  
CITY CLERK

**Council and Public Services**  
Room 395, City Hall  
Los Angeles, CA 90012  
General Information - (213) 978-1133  
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**SHANNON HOPPES**  
Division Manager

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

November 17, 2014

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 14-0191, at its meeting held November 12, 2014.

A handwritten signature in black ink, appearing to read 'Holly L. Wolcott', is written over the signature line.

City Clerk  
wrq

Mayor's Time Stamp  
RECEIVED  
2014 NOV 13 PM 12:47  
CITY OF LOS ANGELES

City Clerk's Time Stamp  
CITY CLERK'S OFFICE  
2014 NOV 13 PM 12:43  
CITY CLERK  
BY \_\_\_\_\_  
FIDELITY

**FORTHWITH**

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 14-0191

COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE November 12, 2014

RE: CASE ENTITLED CITY OF LOS ANGELES V. CLARKE CONTRACTING CORPORATION,  
LOS ANGELES SUPERIOR COURT CASE NO. BC467844

LAST DAY FOR MAYOR TO ACT NOV 24 2014  
(10 Day Charter requirement as per Charter Section 341)

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**DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY**

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APPROVED

✓

\*DISAPPROVED

\_\_\_\_\_  
\*Transmit objections in writing  
pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL NOV 17 2014

*Herb J. Wernoff*  
\_\_\_\_\_  
ACTING MAYOR

49

**MOTION**

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled City of Los Angeles v. Clarke Contracting Corporation, Los Angeles Superior Court Case No. BC467844. (This matter involves a lawsuit filed by the City of Los Angeles for express indemnity against Clarke Contracting Corporation to recover a portion of a settlement by the City with the plaintiffs in a related case entitled Susan Morris and P.J. Pesce v. City of Los Angeles), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE and INSTRUCT the City Attorney, without further instructions, to accept a settlement in the above-entitled matter in the amount of \$285,000.
2. AUTHORIZE and INSTRUCT the City Attorney, without further instructions, to deposit any funds received into the Sewer Construction and Maintenance Fund No. 208, Revenue Source Code 5121, Damage Claims and Settlements.
3. AUTHORIZE the City Attorney to execute the necessary documents to carry out the settlement in accordance with the above terms.
4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any 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 – Englander – Blumenfield - Bonin) at its meeting on November 3, 2014, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

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

SECONDED BY \_\_\_\_\_  
MITCHELL ENGLANDER  
Councilmember, 12th District

**ADOPTED**

NOV 12 2014

**LOS ANGELES CITY COUNCIL**

ep  
CF 14-0191  
November 3, 2014

#140191mot\_11-3-14

TO THE MAYOR, FORTHWITH