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MICHAEL N. FEUER
City Attorney

REPORT NO. R 1 4 - 0 4 1 6
NOV 1 2 2014

REPORT RE:

STATUS OF LIABILITY ACCOUNTS

The Honorable Budget & Finance Committee
of the City of Los Angeles
Room 1010, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

The City Attorney's Office has been requested to periodically report to your Honorable Committee on the status of General Fund Liability Accounts 9760 and 9770. This report provides the status of these two accounts as of the quarter ended September 30, 2014

Account 9760 (\$100,000 and below)

For Fiscal Year 2013-2014, the Adopted Budget provides \$10,060,000 for Account 9760. As of this reporting period, we have spent approximately 20% of the budgeted amount.

Account 9770 (Over \$100,000)

The Fiscal Year 2014-2015 Budget provides \$37.85 million in Account 9770, plus an additional \$6 million set aside in the Unappropriated Balance. As of this reporting period, we have expended/committed slightly over 35% of the total \$43.85 million.

The following chart recaps the status of the liability accounts as of September 30, 2014. A listing of the individual cases paid out of Account 9770 is provided on Attachment A of this report.

ACCOUNT	AVAILABLE	EXPENDED/ COMMITTED**	BALANCE	% OF AVAILABLE
9760	\$10,060,000	\$2,180,558	\$7,879,442	78%
9770	\$43,850,000	\$15,724,477	\$28,125,523	64%
TOTALS	\$53,910,000	\$17,905,035	\$36,004,965	

**Total amounts paid and/or authorized by City Council for payment this fiscal year as of 9/30/2014. See Attachment A.*

As in the past, we will continue to provide the City Council and the City Administrative Officer (CAO) with periodic updates on these accounts, both through these quarterly reports and the CAO's financial status reports.

If you have any questions regarding this matter, please contact Chief Assistant Thomas Peters at (213) 978-8277. He or other members of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,



MICHAEL N. FEUER
City Attorney

MNF:gsb
Attachment

cc: Honorable Eric Garcetti, Mayor
Honorable Members of the City Council
General Managers

LIABILITY CLAIMS FISCAL YEAR 2014/15
PAYOUTS THROUGH SEPTEMBER 30, 2014
ACCOUNT 9770

Case Name/Case Number	Case Description	Authority	Date Approved by City Council	Total General Fund Payout Authorized by City Council Col. A	Total Paid in Prior Fiscal Years Col. B	FISCAL YEAR 2014/15		
						Total Payout Due FY15 Col. C	Total Paid FY15 as of 9/30/14 Col. D	Balance Due FY15 Col. C minus D Col. E
Avila, Leonard CV11-1326	Plaintiff alleged retaliation in the workplace.	CF14-1273	9/18/14	\$ 787,560		787,560	-	787,560
Beaird, Billy CV14-03740	Plaintiffs allege wrongful death of their son who was shot by LAPD officers after a car pursuit with the victim.	CF14-1048	8/26/14	\$ 5,000,000		5,000,000	5,000,000	-
Chance, Clarence (see Note 1)	Plaintiff alleged wrongful arrest by LAPD.	CF93-0166	7/6/93	\$ 88,920		88,920	22,230	66,690
Concerned Citizens of South Central Los Angeles v. COLA, Appellate case no. B240301, Superior Court case no. BC389760	Plaintiff alleged that City breached contract to allow plaintiff to build a recreational complex included an option to purchase property for \$2.1 million.	CF14-0733	6/16/14	\$ 4,816,936		4,816,936	-	4,816,936
Dwyer, Grant PC054285	Plaintiff alleged inadequate and poorly designed and maintained drainage system at the intersection contributed to the driver's loss of control on the flooded street.	CF1-1209	9/23/14	\$ 465,000		465,000	-	465,000
Garrett, Anthony CV12-01670	Plaintiff alleged wrongful death of decedent during an officer-involved-shooting in 2011.	CF14-0890	8/13/14	\$ 500,000		500,000	500,000	-
Hill RHF Housing Partners BS238416 (see Note 2)	Claims against the City's Downtown Business Improvement District which settled for approximately \$500K, payable over five years.	CF12-1621	2/13/13	\$ 500,000	158,327	106,061	-	106,061
Jones, Edward Ninth Circuit Case No. 11-56240	Eight Plaintiffs challenge the City's enforcement of LAMC 41.18(3).	CF12-1676	9/10/14	\$ 725,000		725,000	-	725,000
Mesa RHF Housing BS140224 (see Note 3)	Claims against the City's Downtown Business Improvement District which settled for approximately \$100K, payable over five years.	CF13-1186	9/25/13	\$ 100,000	19,114	20,000	-	20,000
Jordan, Michelle CV13-03152	Plaintiff alleged excessive use of force by LAPD during a traffic stop.	CF14-0942	8/25/14	\$ 550,000		550,000	550,000	-
Navarro, Juvenal CV13-06080	Plaintiff alleged that LAPD falsely arrested his wife and used excessive force on him during a response to complaints of loud music from the plaintiff's home.	CF14-1050	8/20/14	\$ 150,000		150,000	150,000	-
Nelson, Judy BC524419	Plaintiff claims serious physical injuries after a trip and fall allegedly caused by a raised tree well.	CF14-0762	7/30/14	\$ 245,000		245,000	245,000	-
Ramon, Maria Demetrio BC387179 (see Note 4)	Plaintiff alleged wrongful death of her son and personal physical injuries after being hit by a third-party vehicle.	CF13-0499	7/5/13	\$ 3,500,000	2,000,000	1,500,000	1,500,000	-

**ATTACHMENT A
Public Report**

Case Name/Case Number	Case Description	Authority	Date Approved by City Council	Total General Fund Payout Authorized by City Council Col. A	Total Paid in Prior Fiscal Years Col. B	FISCAL YEAR 2014/15		
						Total Payout Due FY15 Col. C	Total Paid FY15 as of 9/30/14 Col. D	Balance Due FY15 Col. C minus D Col. E
Ya-May, Christle C14-2207 (see Note 5)	LAPD employee alleged retaliation in the workplace after reporting inappropriate activity in her Division.	CF14-0453	6/9/14	\$ 395,000		395,000	395,000	-
Zakarya BC419559	Plaintiff alleged regulatory taking arising out of denial of variance.	CF14-0830	7/2/14	\$ 375,000		375,000	375,000	-
T O T A L						15,724,477	8,737,230	6,987,247

NOTES:

- 1) Chance, Clarence - \$7,410 monthly payment due until February 2023
- 2) Hill RHF Housing - total settlement approximately \$500K, payable in five annual installments starting in FY13
- 3) Mesa RHF Housing - total settlement approximately \$100K, payable in five annual installments starting in FY14
- 4) Ramon, Maria Demetrio - total settlement \$3.5M; \$2M due FY14, \$1.5 due FY15