

**MOTION**

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Alejandro Rodriguez, et al v. City, Claim Nos. C15-1217, C15-1218, C15-1219. (This matter involves a court ordered return of property resulting from an incident which occurred on January 30, 2009 at 1132 Pioneer Ave., Wilmington, CA), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney to pay a total of \$415,698 plus interest (interest will accrue as of August 20, 2014), pursuant to court order, in settlement of the above-entitled matter from the City Attorney Fund No. 100, Department 59, Account 009770.
2. AUTHORIZE the City Attorney to draw demands thereon and made payable as follows:
  - a. Elmer Rodriguez (C15-1219) in the amount of \$407,637
  - b. Janette Espinoza (C15-1218) in the amount of \$111
  - c. Jointly to Janette Espinoza and Alejandro Rodriguez (C15-1217) in the amount of \$7,950
3. 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.

PRESENTED BY \_\_\_\_\_  
PAUL KORTZ  
Councilmember, 5th District

SECONDED BY \_\_\_\_\_  
BOB BLUMENFIELD  
Councilmember, 3rd District

CF 15-0568

June 9, 2015