

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled James Kabbash v. City of Los Angeles, Los Angeles Superior Court Case No. BC534626 (this matter arises from an inverse condemnation claim alleging that Plaintiff has suffered damage as a result of the City's two-year project to excavate and replace a discharge manifold in front of the Plaintiff's property), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Department of Public Works – Bureau of Sanitation to pay a total of \$120,000 in settlement of the above entitled matter from the Sewer Capital Fund No. 761, Account No. 50MFA6 – Venice PP Discharge Manif Repl.
2. AUTHORIZE the Chief Accounting Officer for the Department of Public Works to draw a demand on said account in the amount of \$120,000 and made payable to: James Kabbash and the Law Offices of Dermer Behrendt.
3. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
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.

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
MITCHELL ENGLANDER
Councilmember, 12th District