

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Ahoubim v. City of Los Angeles, Los Angeles Superior Court Case No. LC102879 (this matter involves an inverse condemnation action for damages caused by a sewer backup at 4805 Lindley Avenue, Tarzana, in Council District Three), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to pay a total of \$123,000 in settlement of the above-entitled matter from City Attorney Fund No. 100/59, Account No. 009794, Public Works Sanitation Liability Payouts, subject to subsequent reimbursement from the Sewer Operations Maintenance Fund.
2. AUTHORIZE the City Attorney to draw demands thereon and made payable as follows:
 - a. To Rooter Guard for installation of the backwater valve in an amount not to exceed \$3,000.
 - b. To Alexander Cohen and Associates Client Trust Account, Shahram Ahoubim, and Tamar Frizian in the amount of \$120,000.
3. AUTHORIZE the City Attorney, or designee, to execute a settlement agreement and all other documents necessary to implement the settlement with Shahram Ahoubim and Tamar Frizian.
4. AUTHORIZE the City Attorney, or designee, to deliver the warrant payable to Alexander Cohen and Associates Client Trust Account, Shahram Ahoubim, and Tamar Frizian, upon delivery to the City Attorney of proof of a permitted installation of the backwater valve.
5. 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 – Martinez – Blumenfield – Bonin: "Yes") at its meeting on September 26, 2016, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
NURY MARTINEZ
Councilmember, 6th District

REW
CF 16-1031
September 26, 2016