

**MOTION**

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Dylan Bruno and Emmeli Bruno v. City of Los Angeles, Los Angeles Superior Court Case No. BC505318 (lawsuit concerning 1481 Paseo Del Mar [Council District 15]. This matter involves an inverse condemnation action arising out of the White Point landslide in which Plaintiffs claim that they suffered settlement and subsidence at their nearby residential property), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to pay a total of \$473,511.10 in settlement of the above-entitled matter, and to execute a settlement agreement and all other documents necessary to implement the settlement.
2. AUTHORIZE the Controller to transfer \$236,756 from Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009796, Recreation and Parks Liability Payouts.
3. AUTHORIZE the City Attorney to draw a demand for \$473,511.10 from the following accounts and made payable to: Kabateck Brown Kellner Client Trust, the Law Offices of Terry R. Bailey, Dylan Bruno and Emmeli Bruno:
  - a. \$236,755.55 from City Attorney Fund No. 100/59, Account No. 009796, Recreation and Parks Liability Payouts.
  - b. \$236,755.55 from City Attorney Fund No. 100/59, Account 009793, Bureau of Engineering Liability Payouts.
4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.
5. WAIVE all permit fees owed to the Bureau of Engineering by Dylan and Emmeli Bruno for the “B” permit work required to implement the settlement.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Englander – Blumenfield – Bonin: “Yes”) at its meeting on October 24, 2016, 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

REW  
CF 16-1148  
October 24, 2016