

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Hermilo Ponce Martinez v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC533944 (this matter involves a private vehicle which crashed into a fallen tree limb accident which occurred on January 28, 2012 at 12855 Sunset Boulevard), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to \$625,000 in settlement of the above-entitled matter from Liability Claims Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts.
2. AUTHORIZE the Controller to transfer \$625,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts.
3. AUTHORIZE the City Attorney to draw a demand thereon in the amount of \$625,000 and made payable to: The Law Offices of Paul Aghabala and Associates, and Hermilo Ponce Martinez.
4. AUTHORIZE the City Attorney, or designee, to make 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: “Yes”) at its meeting on February 27, 2017, 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 17-0111
February 27, 2017