

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled IMT Capital II Beverly Arnaz LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BC645302 (lawsuit concerning 467 South Arnaz Drive [Council District 5]; this matter is an inverse condemnation action arising out of a sewer backup for which Plaintiff is seeking reimbursement for amounts it paid to repair its apartment building), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE settlement of the Plaintiff's claims in the amount of \$178,000.
2. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
3. AUTHORIZE and REQUEST the City Attorney to draw a demand warrant in the amount of \$178,000 from Fund No. 100/59, Account 009794, Public Works, Sanitation Liability Payouts, and made payable to the Chen, Horwitz & Franklin, Inc. Client Trust Account.
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.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Koretz – Blumenfield: "Yes") at its meeting on September 18, 2017, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
PAUL KORETZ
Councilmember, 5th District

REW
CF 17-0916
September 18, 2017