

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled John Leopold Victoria v. Stewart Lawrence Leviton, Los Angeles Superior Court Case No. BC541698. (This matter arises from a vehicle versus pedestrian accident which occurred on November 18, 2013, at the intersection of Franklin Avenue and Las Palmas Avenue), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to \$15,000,000 in settlement of the above-entitled matter from the Liability Claims Fund No. 100/59.
2. AUTHORIZE the Controller to transfer \$5,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts.
3. AUTHORIZE the City Attorney to draw demands from Fund No. 100/59, Account No. 009797, Transportation Liability Payouts, made payable jointly to Greene Broillet and Wheeler, LLP, Balaban and Spielberger, LLP, and Marilyn Angeles Victoria, as guardian ad litem for John Leopold Victoria, an incapacitated adult, payable in three separate installments:
 - a. \$5,000,000 due promptly upon Council approval for Fiscal Year 2017-18
 - b. \$5,000,000 due July 2018
 - c. \$5,000,000 due July 2019
4. INSTRUCT the City Clerk to place on the agenda for the first regular Council meeting on **July 1, 2018**, or shortly thereafter, the following instruction:

Authorize the Controller's Office to transfer \$5,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts.
5. INSTRUCT the City Clerk to place on the agenda for the first regular Council meeting on **July 1, 2019**, or shortly thereafter, the following instruction:

Authorize the Controller's Office to transfer \$5,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts.
6. 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 – Englander - Koretz – Blumenfield: “Yes”) at its meeting on September 25, 2017, 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/EP
CF 17-1056
September 25, 2017

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