

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Robert Rodriguez v. Los Angeles Police Department, et al., United District Court Case No. CV16-02048 RGK (JPRx) (this matter arises from an incident involving a member of the Los Angeles Police Department on December 10, 2014, in Los Angeles, California), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend \$400,000 in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$400,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.
3. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009792, Police Liability Payouts, in the amount of \$400,000 and made payable to Greg Kirakosian, Geragos & Geragos Client Trust Account and Robert Rodriguez.
4. DETERMINE, pursuant to California Government Code Section 825, subdivision (b), that the City will indemnify Detective Douglas Johnson in this matter for punitive damages inasmuch as: (a) Detective Johnson was acting within the course and scope of his employment as an employee of the City of Los Angeles at the time of the act giving rise to the liability; (b) that Detective Johnson acted in good faith, without actual malice and in the apparent best interests of the City of Los Angeles at the time of the act giving rise to the liability; and, (c) that payment of the claim or judgment would be in the best interests of the City of Los Angeles.
5. 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 October 23, 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 17-1171
October 23, 2017