

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Jose Avendano v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC587167 (this matter arises out of an alleged dangerous condition of roadway incident that occurred on October 1, 2014 involving a bicyclist who lost control and fell on the 2400 block of Glendale Boulevard near Silverlake Boulevard in Los Angeles), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend \$150,000 in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$150,000 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 from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts, in the amount of \$150,000 and made payable to Law Offices of Oscar H. Gutierrez, APC; Carpenter, Zuckerman and Rowley, LLP; and, Jose Avendano.
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 (Englander – Koretz – Blumenfield - Bonin: "Yes") at its meeting on February 5, 2018, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
MITCHELL ENGLANDER
Councilmember, 12th District

SECONDED BY _____
PAUL KORETZ
Councilmember, 5th District

REW
CF 18-0072
February 5, 2018