

HOLLY L. WOLCOTT
CITY CLERK

City of Los Angeles
CALIFORNIA

OFFICE OF THE
CITY CLERK

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MAYOR

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When making inquiries relative to
this matter, please refer to the
Council File No.: [18-0316](#)

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

May 2, 2018

Council File No.: [18-0316](#)

Council Meeting Date: May 01, 2018

Agenda Item No.: 33

Agenda Description: The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Estate of Guzman v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV15-07932 JAK, consolidated with Marcos Castaneda v. City of Los Angeles, et al., USDC Case No. CV16-03101 JAK (FFM).(This matter arises from an incident involving members of the Los Angeles Police Department on September 27, 2015, in L.A., CA)

Council Action: MOTION (KREKORIAN - ENGLANDER) ADOPTED IN OPEN SESSION

Council Vote:

| | | | | | |
|-----|-------------|--------|---------------|-----|-----------|
| YES | BLUMENFIELD | YES | HARRIS-DAWSON | YES | O'FARRELL |
| YES | BONIN | YES | HUIZAR | YES | PRICE |
| NO | BUSCAINO | YES | KORETZ | YES | RODRIGUEZ |
| YES | CEDILLO | ABSENT | KREKORIAN | YES | RYU |
| NO | ENGLANDER | YES | MARTINEZ | YES | WESSON |

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Pursuant to Charter/Los Angeles Administrative Code Section(s): 341

FILE SENT TO MAYOR:

LAST DAY FOR MAYOR TO ACT:

APPROVED

***DISAPPROVED**

***VETO**

05/04/2018

Mayor

DATE SIGNED

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Estate of Guzman, et al. v. City of Los Angeles, et al., United States District Court (USDC) Case No. CV15-07932 JAK, consolidated with Marcos Castaneda, et al. v. City of Los Angeles, et al., USDC Case No. CV16-03101 JAK (FFM) (this matter arises from an incident involving members of the Los Angeles Police Department on September 27, 2015, in Los Angeles, California), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$1,950,000** in settlement of the above-entitled matter, **payable in Fiscal Years (FY) 2017-18 and 2018-19.**
2. AUTHORIZE the Controller to transfer \$975,000 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 demands from Fund No. 100/59, Account No. 009792, Police Liability Payouts, made payable to: Bernard and Bernard, Law Offices of Gary Appleby, Marcos Castaneda, Eric Castenda, Casillas and Associates, and Gloria Gonzalez, payable in two separate installments as follows:
 - a. **\$975,000 due FY 2017-18.**
 - b. **\$975,000 due FY 2018-19.**
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 instructions:

Authorize the Controller to transfer \$975,000 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.
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.

(Budget and Finance Committee waived consideration of the above matter).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
MITCHELL ENGLANDER
Councilmember, 12th District

REW
CF 18-0316
May 1, 2018