

# ITEM NO. 39

1/23/19 Council – Regular Meeting Agenda  
Closed Session

## MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect payment of costs, damages, and judgment in the case entitled Be Wicked, Inc. v. City of Los Angeles, and MNP, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BC600533 (this matter arises from a flooding incident of commercial property that occurred on December 12, 2014, at 1020 Wilde Street), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$648,981.35**, plus applicable interest in judgment of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$648,981.35 plus interest 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 as follows: \$453,091.36 plus applicable interest and costs made payable to Abir, Cohen, Treyzon, Salo, LLP and Be Wicked, Inc.
4. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts as follows: \$195,889.99 plus applicable interest and costs made payable to Abir, Cohen, Treyzon, Salo, LLP and MNP, LLC.
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 – Blumenfield – Bonin: “Yes”) at a meeting on January 14, 2019, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY \_\_\_\_\_  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
BOB BLUMENFIELD  
Councilmember, 3th District