

# ITEM NO. 34

02/05/20 Council – Regular Meeting Agenda  
Closed Session

## MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Nice Davis v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC678370 (this matter arises from a trip-and-fall accident from an uplifted sidewalk that occurred on October 2, 2016 at or near 5461 Homeside Avenue), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$300,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$300,000 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 made payable to: Law Offices of Mauro Fiore, Jr., APC and Nice Davis in the amount of \$300,000.
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 (Krekorian – Price – Koretz – Blumenfield: “Yes”) at its meeting on January 27, 2020, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY \_\_\_\_\_

PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_

CURREN D. PRICE, JR  
Councilmember, 9th District