

ITEM NO. 28

5/20/22 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 S. Santa Monica/E. Granville (LA) Owner, LLC v. City of Los Angeles, Los Angeles Superior Court Case No. 21STCV10798. (This case arises from the Department of Recreation and Parks' imposition of a fee pursuant to Los Angeles Municipal Code Section 12.33.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE the proposed draft Settlement Agreement, Exhibit A, attached to the City Attorney Confidential Report.
2. AUTHORIZE the City Attorney to execute a written Settlement Agreement to carry out the settlement in accordance with the described terms, as set forth in the attached draft Settlement Agreement.
3. AUTHORIZE the Department of Recreation and Parks (RAP) to draw a demand from Fund No. 302, Department No. 89-RAP Special fund, and Account No. 89718H Park Mitigation Fee, payable to Goodkin Law Group, APC, IOLTA Account, in the amount of \$725,000.
4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments to the settlement, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.
5. ADOPT a Motion instructing RAP, with the assistance of the Department of Building and Safety, the Planning Department, and the City Attorney's Office, to update the park fee ordinance to address administrative issues that have arisen in the implementation and enforcement of these code provisions authorizing the fee.

(Budget and Finance Committee waived consideration of the matter)

PRESENTED BY _____

PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District