

# CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

JUNE LAGMAY  
City Clerk

KAREN E. KALFAYAN  
Executive Officer

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Executive Officer

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CITY CLERK

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Acting Chief, Council and Public Services  
Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

December 10, 2009

To All Interested Parties:

The City Council adopted the action(s), as attached, under

Council file No. 09-2783, at its meeting held December 2, 2009.



City Clerk  
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OFFICE OF THE MAYOR  
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2009 DEC -4 PM 2: 38  
CITY OF LOS ANGELES

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CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 09-2783

COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE DECEMBER 2, 2009

RE: SETTLEMENT IN THE CASE ENTITLED HECTOR MORENO AND ELENA MORENO V. CITY OF LOS ANGELES, LOS ANGELES SUPERIOR COURT CASE NO. BC394249. (THIS CASE ARISES FROM AN INVERSE CONDEMNATION ACTION INVOLVING A SLOPE FAILURE ON CITY PROPERTY.)

LAST DAY FOR MAYOR TO ACT DEC 14 2009  
(10 Day Charter requirement as per Charter Section 341)

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DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

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APPROVED

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\*DISAPPROVED

\*Transmit objections in writing pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL

DEC 09 2009

\_\_\_\_\_  
MAYOR

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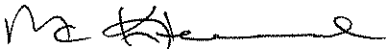
CF 09-2783

December 2, 2009

**MEMORANDUM TO FILE**

The City Council held a Closed Session on Wednesday, December 2, 2009, pursuant to authority provided in California Government Code Section 54956.9(a), to confer with its legal counsel relative to the case entitled Hector Moreno and Elena Moreno v. City of Los Angeles, Los Angeles Superior Court Case No. BC394249. (This case arises from an inverse condemnation action involving a slope failure on City property; Budget and Finance Committee considered the above matter on November 23, 2009).

The purpose of this memorandum is to note for the record that following discussion of the above matter in Closed Session, the City Council adopted Motion (Wesson - Zine) in Open Session and instructed the City Clerk to transmit the file to the Mayor.



MARIA KOSTRENCICH  
Council Clerk

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**VERBAL MOTION**

I HEREBY MOVE that Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Hector Moreno and Elena Moreno v. City of Los Angeles, Los Angeles Superior Court Case No. BC394249. (This case arises from an inverse condemnation action involving a slope failure on City property.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **AUTHORIZE** the City Attorney to expend \$29,080 in partial settlement of the case entitled Hector Moreno and Elena Moreno v. City of Los Angeles, Los Angeles Superior Court Case No. BC394249, from Liability Claims Account No. 9760, Fund 100, Department 59.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in said amount payable to Hector Moreno, Elena Moreno and the Law Offices of Peter J. Lesser.

This matter was approved by the Budget and Finance Committee (Parks-Huizar-Koretz "yes") at its meeting on November 23, 2009, in Closed Session as permitted by Government Code Section 54956.9(a).

PRESENTED BY \_\_\_\_\_  
HERB J. WESSON, JR.  
Councilmember, 10th District

SECONDED BY \_\_\_\_\_  
DENNIS P. ZINE  
Councilmember, 3rd District

December 2, 2009

CF 09-2783

**ADOPTED**

**DEC 02 2009**

**LOS ANGELES CITY COUNCIL**

**MAYOR WITH FILE**