

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Maria Elena Montoya v. City of Los Angeles, Los Angeles Superior Court Case No. BC504572 and Court of Appeal Case No. B275969 (this matter arises from incidents involving members of the Los Angeles Police Department that occurred on and after January 18, 2012, which gave rise to Plaintiff's alleged causes of action for disability discrimination and retaliation in violation of the Fair Employment and Housing Act (FEHA), Government Code Section 12940, et seq.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to pay \$2,100,000 in settlement of the above-entitled matter.
2. FIND that the settlement is in the best interests of the City.
3. FIND that the City intends to make an interfund borrowing or advance from the Reserve Fund to pay the settlement on an interim basis, which loan or advance will be refunded or reimbursed with the proceeds of a judgment obligation bond issue, and a Resolution was or will be presented separately in open session.
4. AUTHORIZE the Controller to transfer \$2,100,000 from the Reserve Fund to the Unappropriated Balance and appropriate therefrom to Liability Claims Fund No. 100/59 Police Liability Payouts, Account No. 009792, to be reimbursed by proceeds from a future Judgment Obligation Bond issuance.
5. AUTHORIZE the City Attorney to draw demands for \$2,100,000 from Liability Claims Fund No. 100/59, Account No. 009792, Police Liability Payouts, and made payable as follows:
 - a. \$1,348,236.89 to: McNicholas and McNicholas, LLP and Maria Elena Montoya.
 - b. \$751,763.11 to: BARCO Assignments, Ltd.
6. AUTHORIZE the City Attorney to prepare Controller instructions for any 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 – Martinez – Blumenfield – Bonin: "Yes"; Englander "No") at its meeting on January 23, 2017, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____

NURY MARTINEZ
Councilmember, 6th District