

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Gilbert Penate v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 22STCV15106. (This matter arises from a trip and fall incident on May 28, 2021, on the sidewalk located at 527 N. Spring Street, in the City of Los Angeles.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney's Office to expend up to **\$150,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer **\$150,000** in Fiscal Year 2025-26 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 in Fiscal Year 2025-26 from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts, as follows: Downtown LA Law Group, LLP and Gilbert Penate in the amount of **\$150,000**.
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 (Blumenfield –McOsker – Hutt – Hernandez: "Yes"; Absent: Yaroslavsky) at its meeting held on July 1, 2025, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____

BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY _____

HEATHER HUTT
Councilmember, 10th District