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C-4

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Amy R. Webber
Theodore B. Zinger

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

October 15, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$7,995.00 in full settlement of claim entitled *Electric Car Sales and Service v. City of Long Beach*, Claim No. C12-0662

DISCUSSION

On July 3, 2011, a Long Beach police officer responding to a call for assistance lost control of his rented beach patrol vehicle and eventually flipped it over. The vehicle sustained substantial damage and could not be repaired. The replacement cost is \$7,995.00.

In light of the probable liability, and the extent of the damages, we opine that this proposed settlement represents the reasonable value of the claim. The settlement was approved by the Economic Development and Finance Committee on October 1, 2013.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, Acting City Attorney

By


Monte H. Machit, principal Deputy

MHM:ivs



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October 15, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$11,999.00 in full settlement of *Equal Employment Opportunity Claim (EEOC) claim of Sherell McFarlane*.

DISCUSSION

Sherell McFarlane, a Deputy City Prosecutor, was terminated on July 29, 2010. After her termination, McFarlane filed a Charge of Discrimination with the EEOC. Filing a charge is a prerequisite to filing a lawsuit. McFarlane claims she was terminated because of her race, African American. While her claim is not supported by the evidence, and while we view liability as very remote, considering the cost of the continued defense of the case and the potential operational impact of a lawsuit on the Prosecutor's Office, we recommend the proposed settlement of McFarlane's charge.

The proposed settlement was presented to the Economic Development and Finance Committee on October 1, 2013, and was approved on that date. We therefore ask authority to pay the sum of \$11,999 in full settlement of this claim.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By Monte H. Machit
Monte H. Machit, Principal Deputy

MHM:ivs