



Legislation Details (With Text)

**File #:** 11-1048      **Version:** 1      **Name:** CA - lawsuit settlement SCE

**Type:** Agenda Item      **Status:** Approved

**File created:** 10/7/2011      **In control:** City Council

**On agenda:** 10/18/2011      **Final action:** 10/18/2011

**Title:** Recommendation to authorize City Attorney to pay sums of \$8,500 and \$12,500 in full settlement of lawsuit entitled Ramon Edward Guedea, and as Guardian Ad Litem of Alicia Gabriela Guedea v. City of Long Beach, et al.; to pay the sum of \$5,999 in full settlement of lawsuit entitled Ochoa v. City of Long Beach, Case No. 10C04386; and to pay sum of \$10,000 in full settlement of lawsuit entitled SCE v. COLB.

**Sponsors:** City Attorney

**Indexes:** Lawsuit, Settlement

**Code sections:**

**Attachments:** 1. 101811-C-5sr.pdf

Date	Ver.	Action By	Action	Result
10/18/2011	1	City Council	approve recommendation	Pass

Recommendation to authorize City Attorney to pay sums of \$8,500 and \$12,500 in full settlement of lawsuit entitled *Ramon Edward Guedea, and as Guardian Ad Litem of Alicia Gabriela Guedea v. City of Long Beach, et al.*; to pay the sum of \$5,999 in full settlement of lawsuit entitled *Ochoa v. City of Long Beach*, Case No. 10C04386; and to pay sum of \$10,000 in full settlement of lawsuit entitled SCE v. COLB.

On January 8, 2010, plaintiffs were involved in a traffic accident at the intersection of Atherton Street and Palo Verde Avenue in the City of Long Beach. On the day of the incident, City staff reconfigured the traffic signal phasing. Plaintiff driver and his fourteen year old daughter, suffered personal injuries to the neck, head, back, shoulders and arms when their vehicle was struck broadside. After discussion, a tentative settlement of \$8,500 for the driver and \$12,500 for the minor was reached.

The Economic Development and Finance Committee approved the proposed settlement on September 19, 2011.

and

This suit arises out of a motor vehicle accident which occurred when a city employee, driving a city truck in the course and scope of his employment, made an unsafe lane change and struck plaintiff's car.

During a Court-ordered mediation before Benjamin H. Seal, the parties were able to reach a tentative settlement agreement of \$5,999.00, subject to City Council approval.

The Economic Development and Finance Committee approved the proposed settlement on October 4, 2011.

and

A Long Beach Refuse truck was backing in the narrow East/West alley west of MLK Avenue and north of 6<sup>th</sup> Street. As the driver backed down the alley, he struck a wooden SCE power pole. The pole was knocked so that it was leaning westbound and several wires fell on top and around the truck. Liability will be based on violation of 22106 VC (Unsafe Backing).

The proposed settlement was presented to the Economic Development and Finance Committee on October 4, 2011 and was approved on that date. We therefore ask authority to pay the sum of \$10,000 in full settlement of this claim against the City of Long Beach.

Approve recommendation.

ROBERT E. SHANNON  
CITY ATTORNEY

Monte H. Machit  
Principal Deputy City Attorney

Barry M. Meyers  
Senior Deputy

Theodore B. Zinger  
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