



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-4

ROBERT E. SHANNON
City Attorney

HEATHER A. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

PRINCIPAL DEPUTIES

Dominic Holzhaus
Anne C. Lattime
Monte H. Machit
J. Charles Parkin

DEPUTIES

C. Geoffrey Allred
Gary J. Anderson
Richard F. Anthony
Amy R. Burton
Christina L. Checel
Randall C. Fudge
Charles M. Gale
Barbara J. McTigue
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin
Linda Trang
Theodore B. Zinger

April 20, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to accept the sum of \$500,000.00 in full settlement of lawsuit entitled *City of Long Beach v. Robert Bein, William Frost & Associates; RBF Consulting, Inc.; URS*, San Bernardino Case No.: CIVDS904148.

DISCUSSION:

This suit arises out of the City seeking reimbursement for costs incurred remediating a taxiway at the Long Beach Airport. The taxiway had to be repaved to repair slippage cracking caused by a weak bond in construction material. The remediation costs were paid out of the Airport Passenger Facility Charge fund.

During mediation, the parties were able to reach a tentative global settlement in which defendants would pay to the City \$500,000.00. This settlement was conditioned upon City Council approval. An approved settlement will reimburse the fund.

The Economic Development and Finance Committee approved the proposed settlement on April 6, 2010.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By


BARRY M. MEYERS, Deputy

BMM/gw



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RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$39,500.00 in full settlement of lawsuit entitled *Thep Ngerwichit v. City of Long Beach.*

DISCUSSION

On March 20, 2008, plaintiff was riding his bicycle on a road in El Dorado Park Area III. A Parks, Recreation and Marine Department employee was re-stripping the roadway markings, and failed to put out cones or other warning devices to indicate that the painted lines on the road were wet. The plaintiff's bike crashed when it rolled over some freshly painted markings, and plaintiff was severely injured. After extensive discussion, a tentative settlement of \$39,500 was reached.

The Economic Development and Finance Committee approved the proposed settlement on April 6, 2010.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT E. SHANNON, City Attorney

By

HOWARD D. RUSSELL,
Deputy City Attorney

HDR:caa

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April 20, 2010

HONORABLE MAYOR AND CITY COUNCIL
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RECOMMENDATION:

Recommendation to authorize City Attorney to pay the sum of \$12,100.00 in full settlement of lawsuit entitled *Julio C. Pedraza, Marisol Morado, v. Cedric Foster, City of Long Beach*, Case No.: NC053021.

DISCUSSION:

This suit arises out of a City employee, driving a City trash truck in the course and scope of his employment, backing into plaintiffs' vehicle.

During mediation, the parties were able to reach a tentative settlement agreement of \$7,000.00 for Mr. Pedraza and \$5,100.00 for Ms. Morado, subject to City Council approval.

The Economic Development and Finance Committee approved the proposed settlement on April 6, 2010.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By


BARRY M. MEYERS, Deputy

BMM/gw