



# CITY OF CARSON

## Legislation Text

File #: 2020-505, Version: 1

### Report to Mayor and City Council

Tuesday, July 21, 2020

Consent

#### **SUBJECT:**

**CONSIDER APPROVAL OF SETTLEMENT AGREEMENT IN THE MATTER OF JANNA LEE V. CITY OF CARSON, ET AL., LOS ANGELES SUPERIOR COURT CASE NO. 19STCV42200 (CITY COUNCIL)**

#### **I. SUMMARY**

This report concerns settlement of the litigation in the matter of Janna Lee v. City of Carson, et al. (LASC Case Number 19STCV42200). The plaintiff alleged various injuries to her neck, back, and right wrist resulting from an automobile collision at the intersection of Avalon Boulevard and Artesia Boulevard involving a City vehicle operated by an on-duty City Employee.

The City Council initially authorized the settlement in closed session on June 16, 2020, and staff is now reporting back to the City Council with the written settlement agreement for final City Council approval to resolve the litigation (Exhibit 1). The settlement sum is \$100,000, and the settlement agreement provides for each party to bear its own costs of litigation. City's defense costs are approximately \$35,000.

#### **II. RECOMMENDATION**

TAKE the following actions:

1. Approve the settlement agreement (Exhibit 1).
2. Authorize the City Manager to execute the settlement agreement, and any related documents, to resolve the litigation.

#### **III. ALTERNATIVES**

1. TAKE another action the City Council deems appropriate.

#### **IV. BACKGROUND**

Plaintiff, a 40 year-old woman, alleged that she was making a left hand turn onto Avalon Boulevard through a green light at the intersection of Artesia Boulevard and Avalon Boulevard when she was hit by a City vehicle operated by City employee Danny Richard Crable ("Mr. Crable"). Plaintiff alleged various injuries to her neck, back, and right wrist. Plaintiff was diagnosed with multiple spine sprains and a herniated disk requiring treatment, which included epidural steroid injection in her lower back. Plaintiff produced video footage captured by her dashboard camera that appears to show that Mr. Crable was at fault for the collision.

Terms for settlement of the litigation, subject to City Council approval, were negotiated and agreed upon by Plaintiff on June 26, 2020. The City Council authorized settlement during closed session on June 16, 2020. Staff is now reporting back with a written settlement agreement, signed by the Plaintiff, for City Council's final approval, and is requesting authorization for the City Manager to execute the agreement and any related documents to resolve the litigation.

The settlement sum is \$100,000, and the settlement agreement provides for each party to bear its own costs of litigation.

#### **V. FISCAL IMPACT**

The fiscal impact to the City is approximately \$135,000, which includes: (i) the settlement sum of \$100,000 to be paid by the City pursuant to the settlement agreement; and (ii) the City's defense costs incurred, approximately \$35,000.

#### **VI. EXHIBITS**

1. Settlement Agreement Between Janna Lee ("Plaintiff") and City of Carson and Danny Richard Crable ("Defendants") (pgs. 3-8).

Prepared by: Faye Moseley, Director of Human Resources and Risk Management