J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705
Fax: (213) 847-0636
Fax: (213) 485-8944

HELEN GINSBURG
Chief, Council and Public Services Division

96-2017

PLACE IN FILES

DEC 06 2000

DEPUTY

December 5, 2000

Honorable Richard Riordan, Mayor
Office of Administrative and
Research Services
Attn: City Attorney Analyst
Liability Claims/Budget Group
Room 1260, CHE
City Attorney,
cc: Christa Binder
Controller, Room 1200,
Accounting Division, F&A
Disbursement Division
Treasurer
Police Department

RE: SETTLEMENT IN CASE ENTITLED TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES, UNITED STATES DISTRICT COURT CASE NO. CV-94-3240 IN THE AMOUNT OF $128,474,25 PLUS INTEREST FROM MAY 26, 2000 AT AN INTEREST RATE OF 6.197%

At the meeting of the Council held November 21, 2000, the following action was taken:

Attached report adopted.....
Attached motion (Feuer - Ridley-Thomas) adopted in open session X
Attached resolution adopted.....
Mayor concurred..... 11-30-00
Findings adopted.....

J. Michael Carey

City Clerk
crm
steno\962017

FF 12-6-00

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER

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Mayor's Time Stamp

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'00 NOV 27 A10:28
DEPUTY MAYOR

City Clerk's Time Stamp

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CITY CLERK'S OFFICE
2000 NOV 27 AM 10: 18
BY CITY CLERK
DEPUTY

SUBJECT TO MAYOR'S APPROVAL

COUNCIL FILE NO. 96-2017 COUNCIL DISTRICT NO. _____

COUNCIL APPROVAL DATE NOVEMBER 21, 2000

RE: SETTLEMENT IN CASE ENTITLED TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES, UNITED STATES DISTRICT COURT CASE NO. CV-94-3240 IN THE AMOUNT OF $128,474,25 PLUS INTEREST FROM MAY 26, 2000 AT AN INTEREST RATE OF 6.197%

DEC 07 2000

LAST DAY FOR MAYOR TO ACT _____
(10 Day Charter requirement as per Charter Section 341)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR OFFICE USE ONLY

APPROVED ✓

*DISAPPROVED

*Transmit objections in writing pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL NOV 30 2000

DEC 01 2000

MAYOR

steno\962017

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CITY CLERK'S OFFICE
2000 DEC -1 AM 7:04
BY CITY CLERK
DEPUTY

M O T I O N

I HEREBY MOVE that Council ADOPT the following recommendations of the City Attorney in settlement of case entitled Tipton-Whittingham v. City of Los Angeles, United States District Court No. CV-94-3240 (case involving allegations of gender-based harassment and discrimination, and related retaliation), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney to expend $128,474.25, plus interest from May 26, 2000 at an interest rate of 6.197%, for costs related to case entitled Tipton-Whittingham v. City of Los Angeles United States District Court No. CV-94-3240, from City Attorney Fund 100, Department 59, Liability Claims Account No. 9770.

2. AUTHORIZE the City Attorney to immediately draw demand thereon on said amount to be made payable to the Litt & Associates, client trust account.

This matter was approved by the Budget and Finance Committee (Feuer-Miscikowski voted "yes") at its meeting of November 15, 2000, in Closed Session as permitted by Government Code Section 54956.9(a).

PRESENTED BY _____
MICHAEL FEUER
Councilmember, 5th District

SECONDED BY _____
MARK RIDLEY-THOMAS
Councilmember, 8th District

MOTION
ADOPTED
IN OPEN SESSION
NOV 21 2000

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

CF 96-2017
November 15, 2000
962017.mot

CF 96-2017

November 21, 2000

MEMORANDUM TO FILE

The City Council held a Closed Session on Tuesday, November 21, 2000 pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel with respect to the case entitled Tipton-Whittingham v. City of Los Angeles, United States District Court No. CV-94-3240 (case involving allegations of gender-based harassment and discrimination, and related retaliation).

The purpose of this memorandum is to note for the record that following discussion of the above matter in Closed Session, the City Council adopted the Motion (Feuer - Ridley-Thomas) in Open Session and instructed the City Clerk to transmit the file to the Mayor forthwith.

Konrad Carter

KONRAD CARTER
Council Clerk

Attachment

962017.mem

COUNCIL VOTE

21-Nov-00 11:47:56 AM, #14

ITEM NO. (38A)
Voting on Item(s): 38A
Roll Call OPEN SESSION

BERNSON	Yes
CHICK	Yes
FEUER	Yes
GALANTER	Yes
GOLDBERG	Yes
HERNANDEZ	Yes
HOLDEN	Yes
MISCIKOWSKI	Yes
PACHECO	Yes
PADILLA	Yes
RIDLEY-THOMAS	Yes
*SVORINICH	Yes
WACHS	Absent
WALTERS	Absent
FERRARO	Yes

Present: 13, Yes: 13 No: 0

(9)

96-2017 Communication from the City Attorney relative to settlement in case entitled Tipton-Whittingham v. City of Los Angeles, US District Court Case No. CV 94-3240 (case involves allegations of gender-based harassment and discrimination, and related retaliation).

Disposition _____

(10)

00-2195 Communication from the City Attorney relative to settlement in case entitled Estate of Eduardo Hurtado v. Williams, Superior Court Case No. LC 040455 (wrongful death and civil rights violations from gunshot wounds to the head by LAPD bike unit officers).

Disposition _____

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN THE COMMITTEE'S SUBJECT MATTER JURISDICTION

b1115.agd

Attachme

PLAINTIFF'S NAME	DATE FILED	USDC CASE NUMBER:
Rojas, Ruben	12/7/99	CV-99-12054-GAF (AJWx)
Ovando, Destiny	12/13/99	CV-99-11835-GAF (AJWx)
Gutierrez, Ubaldo	2/8/00	CV-00-01360-GAF (AJWx)
Garcia, Steven	2/24/00	CV-00-01995-GAF (AJWx)
Lozano, Jesus	2/29/00	CV-00-02128-GAF (AJWx)
Rivas, Walter Alex	3/8/00	CV-00-02531-GAF (AJWx)
Lobos, Allan Manrique	3/8/00	CV-00-02529-GAF (AJWx)
Zambrano, Rafael	3/9/00	CV-00-02550-GAF (AJWx)
Williams aka Price, Michael	4/19/00	CV-00-04171-GAF (AJWx)
Alfaro, George	4/26/00	CV-00-04436-GAF (AJWx)
Sahagun, Blanca	4/27/00	CV-00-04477-GAF (AJWx)
Lopez-Hernandez, Julian	4/27/00	CV-00-04479-GAF (AJWx)
Madrid, Reality & Ramos, Marisela	5/2/00	CV-00-04478-GAF (AJWx)
Madrid, Jose Hugo	5/4/00	CV-00-04688-GAF (AJWx)
Tapia, Daniel	5/17/00	CV-00-05308-GAF (AJWx)
Romero, Carlos	6/6/00	CV-00-06057-GAF (AJWx)
Yanez, Miguel	6/6/00	CV-00-06058-GAF(AJWx)
Gutierrez, Juan Carlos	6/13/00	CV-00-06375-GAF (AJWx)
Betancourt, Robert	7/21/00	CV-00-07937-GAF (AJWx)
Vasquez, Acosta	8/9/00	CV-00-08512-GAF (AJWx)
Guevara, Mauricio	8/9/00	CV-00-0853-GAF (AJWx)
Candido, Robert	8/9/00	CV-00-08514-GAF (AJWx)
Rodriguez, Cleofes Jimenez	9/1/00	CV-00-00714-GAF (AJWx)
Zambrano, Kimberly and Nathalie	9/8/00	CV-00-09601-GAF (AJWx)
Rudovsky, Arthur Arkadiy	9/13/00	CV-00-09816-GAF (AJWx)
Contreras, Juan	9/13/00	CV-00-09817-GAF (AJWx)
Paguia, Erick Michael	10/16/00	CV-00-11007-GAF(AJWx)
Arechiga, Luis	10/16/00	CV-00-11029-GAF(AJWx)
Hernandez, Edgar	10/30/00	CV-00-11512-GAF(AJWx)

CITY OF LOS ANGELES
CLAIMS BOARD

RECOMMENDATION OF THE CLAIMS BOARD
FOR CONSIDERATION BY THE CITY COUNCIL

The Honorable City Council
of the City of Los Angeles
Room 615, City Hall
200 North Main Street
Los Angeles, CA 90012

Honorable Members:

At its meeting of Nov 8th,2000, the Claims Board of the City of Los Angeles considered Report No. R00-0549 of the City Attorney in the matter of:

TIPTON-WHITTINGTON v. City, USDC # CV 94-3240

and voted (3-0) that your Honorable Body (approve/~~reject~~) the City Attorney's recommendation.

Claims Board, City of Los Angeles

By _____
Chairperson

cc: City Attorney
125515

J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705
Fax: (213) 847-0636
Fax: (213) 485-8944

HELEN GINSBURG
Chief, Council and Public Services Division

96-2017

November 6, 2000

CITY ENGINEER
BUDGET & FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to the case entitled Tipton-Whittingham v. City of Los Angeles, United States District Court No. CV-94-3240, was referred on November 6, 2000, to the BUDGET & FINANCE COMMITTEE.

J. Michael Carey

City Clerk
amm

JAMES K. HAHN
CITY ATTORNEY

WRITER'S DIRECT DIAL:
FAX:
TTY:

Office of the City Attorney
Los Angeles, California

REPORT NO. 00-0549

NOV 03 2000

REPORT RE:

TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES
United States District Court No. CV-94-3240

The Honorable City Council
City of Los Angeles
Room 615, City Hall East
Los Angeles, California 90012

Honorable Members:

Pursuant to California Government Code Section 54956.9(a), the City Attorney's Office wishes to meet in closed session to report on the above-referenced cases.

We as that the matter be placed on the Budget and Finance Committee's closed session agenda for its meeting of **November 8, 2000** and then on the City Council's closed session agenda for **November 15, 2000.** It is respectfully requested that the City Attorney's Office be authorized to pay a total of $128,474.25, plus interest from May 26, 2000 at an interest rate of 6.197%, for costs related to the above-referenced lawsuit from City Attorney Fund 100, Department 59, Account No. 9770. The demand drawn on said fund shall be made payable to the Litt & Associates, client trust account.

This case involves allegations of gender-based harassment and discrimination, and related retaliation.

Very truly yours,

CECIL W. MARR
Managing Assistant
Police Division

CWM:pdr
125802

cc: Cliff Weiss, Los Angeles Police Commission
Bernard Parks, Chief of Police
Deputy Chief, Human Resources Bureau
Commander, Employee Relations Division
Captain, Legal Affairs

BUDGET AND FINANCE

00 NOV -3 AM 11:57

CITY CLERK

NOV 6 2000

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CF 96-2017

PLACE IN FILES
OCT 31 2000
DEPUTY

October 27, 2000

MEMORANDUM TO FILE

The City Council held a Closed Session on Friday, October 27, 2000 pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel relative to the case entitled Tipton-Whittington v. City of Los Angeles, et al., United States District Court Case CV 94-3240 TJH.

The purpose of this memorandum is to note for the record that the City Council discussed this matter on the above date in Closed Session and instructed the City Attorney with respect to the subject litigation.

Konrad Carter

KONRAD CARTER
Council Clerk

962017.mem

b. Older California Act funding of $58,648 in Expansion Funding Program for the Senior Companion which provides funding to engage persons 60 and older, particularly those with limited income, in volunteer service to provide supportive, individualized services to help adults with special needs maintain their dignity and independence.

ITEM NO. (29)

00-0002 S75 - RESOLUTION (GOLDBERG - HOLDEN) relative to urging the Peruvian government to immediately release Lori Berenson from captivity and allow for her return to the United States.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

RESOLVE to URGE the Peruvian government to immediately release Lori Berenson from captivity and allow for her return to the United States, and further, include in the City's 2001-02 Federal Legislative Program, support of any legislation or executive action which would obtain the release and return of Lori Berenson.

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CLOSED SESSION - ITEM 30

ITEM NO. (30) **MEETING HELD - ACTION TAKEN IN CLOSED SESSION**

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a report in the case entitled Tipton-Whittingham v. City of Los Angeles, et al., United States District Court Case No. CV 94-3240 TJH (case involves allegations of gender-based harassment and discrimination and related retaliation).

(Continued from Council meeting of October 13, 2000)

CF 96-2017

October 13, 2000

MEMORANDUM TO FILE

The City Council held a Closed Session on Friday, October 13, 2000 pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel relative to the case entitled Tipton-Whittington v. City of Los Angeles, et al., United States District Court Case CV 94-3240 TJH.

The purpose of this memorandum is to note for the record that the City Council discussed this matter on the above date in Closed Session and instructed the City Attorney with respect to the subject litigation.

Konrad Carter

KONRAD CARTER
Council Clerk

962017.mem

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CLOSED SESSION - ITEM 34

ITEM NO. (34) **MEETING HELD - ACTION TAKEN IN CLOSED SESSION CONTINUED IN COUNCIL TO OCTOBER 27, 2000 FOR STATUS REPORT**

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a report in the case entitled Tipton-Whittingham v. City of Los Angeles, et al., United States District Court Case No. CV 94-3240 TJH (case involves allegations of gender-based harassment and discrimination and related retaliation).

(Budget and Finance Committee waived consideration of the above matter)

ADJOURNING MOTIONS

COUNCIL ADJOURNMENT

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

COUNCIL RULE NO. 51 - Any member of Council may move to reconsider any vote on any question except to adjourn, suspend the Rules, or to reconsider, or where an intervening event has deprived the Council of jurisdiction, provided that said member had voted on the prevailing side of the question. The motion shall only be in order once during the legislative day in which the given question was voted upon, and once during the next regular meeting. If a motion to reconsider is first made at the next regular meeting after the question had been first voted upon, the member requesting reconsideration shall identify for all members present the Agenda number, Council file number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of eight members of the Council. If a motion to reconsider is adopted, the subject matter shall be the next order of business after that which is before the Council at the time of the motion. This limitation shall not apply if the motion for reconsideration specifies a different time for further consideration of the subject and appropriate posting thereafter takes place where required by law.

COUNCIL RULE NO. 53 - If an Agenda item or other item has been duly placed before the Council at a Council meeting and the Council has failed by sufficient votes to approve or reject the item, or the Council has not by its vote placed the item beyond its jurisdiction at the meeting, or by operation of law, or by passage of time the Council has not lost the power to act thereon, the item is continued to the next regular meeting unless the Council affirmatively votes to continue the item beyond such next meeting. Each Council Agenda shall indicate that if the Council has not lost jurisdiction over an item voted upon at the meeting, or caused it to be continued beyond the next regular meeting or placed in the archives, the item is continued to the next regular meeting for the purpose of permitting reconsideration of the vote. Any item so continued to the next regular meeting shall be considered at said meeting. The Clerk shall provide the Council with, and post a notice of, a list of such items.

J. MICHAEL CAREY
City Clerk

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

96-2017

October 6, 2000

BUDGET & FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to the case entitled Tipton-Whittingham v. City of Los Angeles, United States District Court No. CV-94-3240, was referred on October 6, 2000, to the BUDGET & FINANCE COMMITTEE.

J. Michael Carey

City Clerk
amm

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JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

WRITER'S DIRECT DIAL:
FAX: (213) 485-8898
TTY: (213) 485-6494

REPORT NO. R 00-0451

REPORT RE:

TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES
United States District Court No. CV-94-3240

RECEIVED
CITY CLERK'S OFFICE
00 OCT -6 AM 10:52
BY CITY CLERK
DEPUTY

The Honorable City Council
City of Los Angeles
Room 615, City Hall East
Los Angeles,California 90012

Honorable Members:

Pursuant to California Government Code Section 54956.9(a), the City Attorney's Office wishes to meet in closed session to report on the above-referenced case.

We ask that the matter be placed on the City Council's closed session agenda for October 13, 2000.

The case involves allegations of gender-based harassment and discrimination, and related retaliation.

Very truly yours,

ANGEL MANZANO, JR.
Deputy City Attorney

AM:jew

#124082
cc: Board of Police Commissioners
Bernard C. Parks, Chief of Police
Deputy Chief, Human Resources Bureau
Commander, Employee Relations Board
Lieutenant & Captain, Legal Affairs Division

OCT 6 2000
BUDGET AND FINANCE

Mayor's Time Stamp

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DEPUTY MAYOR

City Clerk's Time Stamp

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CITY CLERK'S OFFICE

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CITY CLERK

BY _____ DEPUTY

SUBJECT TO MAYOR'S APPROVAL

COUNCIL FILE NO. 96-2017 COUNCIL DISTRICT NO. _____

COUNCIL APPROVAL DATE OCTOBER 3, 2000

RE: SETTLEMENT IN THE CASE ENTITLED TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES, ET AL., UNITED STATES DISTRICT COURT CASE NO. CV 94-3240 TJH

LAST DAY FOR MAYOR TO ACT OCT 16 2000
(10 Day Charter requirement as per Charter Section 341)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR OFFICE USE ONLY

APPROVED ✓

*DISAPPROVED _____

*Transmit objections in writing pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL OCT 05 2000

MAYOR

steno\962017

J. MICHAEL CAREY
City Clerk

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

96-2017

October 10, 2000

Honorable Richard Riordan, Mayor
Office of Administrative and
Research Services
Attn: City Attorney Analyst
Liability Claims/Budget Group
Room 1260, CHE
City Attorney,
cc: Christa Binder
Controller, Room 1200,
Accounting Division, F&A
Disbursement Division
Treasurer
Police Department

RE: SETTLEMENT OF CASE ENTITLED TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES, ET. AL., UNITED STATES DISTRICT COURT CASE NO. CV 94-3240 TJH

At the meeting of the Council held October 3, 2000, the following action was taken:

Attached motion (Goldberg - Miscikowski) adopted in open session..... X
Mayor concurred..... 10-05-00
Findings adopted.....
Generally exempt.....
Agreement mentioned therein is/are No. _____
of contracts.....

J. Michael Carey
City Clerk

steno\962017b

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VERBAL MOTION

I HEREBY MOVE that Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Tipton Whittingham v. City of Los Angeles, United States District Court Case No. CV 94-3240 TJH (case involving allegations of gender-based harassment and discrimination and related retaliation), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **AUTHORIZE the City Attorney to expend $1,703,383, in payment of attorneys' fees recently awarded to plaintiffs in Tipton-Whittingham v. City of Los Angeles, United States District Court Case No. CV 94-3240 TJH, plus, in accordance with the court's September 11, 2000 order, interest from the May 26, 2000 entry of the order on the entitlement issue, in the amount of $41,934.26 (to October 17) from the Liability Claims Account No. 9770, Fund 100, Department 59.**

2. **AUTHORIZE the City Attorney to draw a demand thereon in said amount made payable to The Litt & Associates Client Trust Account.**

This matter was considered by the Budget and Finance Committee at its meeting of September 13, 2000, in Closed Session as permitted by Government Code Section 54956.9(a).

PRESENTED BY _____
JACKIE GOLDBERG
Councilmember, 13th District

SECONDED BY _____
CINDY MISCIKOWSKI
Councilmember, 11th District

October 3, 2000

CF 96-2017

Motion
ADOPTED
in Open Session
OCT 03 2000

LOS ANGELES CITY COUNCIL
TO THE MAYOR FORTHWITH

I:\CALAGEND\96-2017.mot

COUNCIL VOTE

03-Oct-00 12:34:19 PM, #14

ITEM NO. (22)
Voting on Item(s): 22
Roll Call

BERNSON	Yes
CHICK	Yes
FEUER	Yes
GALANTER	Absent
GOLDBERG	Yes
HERNANDEZ	Yes
HOLDEN	Yes
MISCIKOWSKI	Yes
PACHECO	Absent
PADILLA	Yes
RIDLEY-THOMAS	Absent
*SVORINICH	Yes
WACHS	Absent
WALTERS	Yes
FERRARO	Absent

Present: 10, Yes: 10 No: 0

CF 96-2017

October 3, 2000

MEMORANDUM TO FILE

The City Council held a Closed Session on Tuesday, October 3, 2000, pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel with respect to the case entitled Tipton-Whittingham v. City of Los Angeles, United States District Court Case No. CV 94-3240 TJH (case involving allegations of gender-based harassment and discrimination and related retaliation; considered in Budget and Finance Committee on September 13, 2000).

The purpose of this memorandum is to note for the record that following discussion of the above matter in Closed Session, the City Council adopted the Motion (Goldberg - Miscikowski) in Open Session and instructed the City Clerk to transmit the file to the Mayor forthwith.

Maria Kostrencich
MARIA KOSTRENCICH
Council Clerk

Attachment

962017.1mem

I:\CALAGEND\962017.1mem

OVERTURN the decision of the City Planning Department and the North Valley Area Planning Commission and DENY the sale and dispensing of beer and wine for consumption at 13215 Osborne Street in Pacoima.

TIME LIMIT FILE - OCTOBER 10, 2000

(LAST DAY FOR COUNCIL ACTION - OCTOBER 10, 2000)
(PURSUANT TO CHARTER SECTION 245e)

(Jurisdiction asserted and matter continued from Council meeting of September 19, 2000)

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CLOSED SESSION - ITEM 22

ITEM NO. (22) - **MEETING HELD**

96-2017 et al. - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a status report and possible settlement in the following cases (all cases involve allegations of gender-based harassment and discrimination and related retaliation):

MOTION ADOPTED IN OPEN SESSION

a. Tipton-Whittingham v. City of Los Angeles, et al., United States District Court Case No. CV 94-3240 TJH.

NO ACTION TAKEN

b. Tomlinson v. City of Los Angeles, United States District Court Case No. CV 94-3757.

NO ACTION TAKEN

c. Shuman v. City of Los Angeles, United States District Court Case No. CV 94-3762.

NO ACTION TAKEN

d. Sommers v. City of Los Angeles, United States District Court Case No. CV 94-3760.

NO ACTION TAKEN

e. Borck v. City of Los Angeles, United States District Court Case No. CV 94-0584.

NO ACTION TAKEN

f. Zumstein v. City of Los Angeles, United States District Court Case No. CV 94-3759.

NO ACTION TAKEN

g. Beitz v. City of Los Angeles, United States District Court Case No. CV 94-3768.

(Budget and Finance Committee considered the above matter in Closed Session on September 13, 2000)

ADJOURNING MOTIONS

COUNCIL ADJOURNMENT

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

COUNCIL RULE NO. 51 - Any member of Council may move to reconsider any vote on any question except to adjourn, suspend the Rules, or to reconsider, or where an intervening event has deprived the Council of jurisdiction, provided that said member had voted on the prevailing side of the question. The motion shall only be in order once during the legislative day in which the given question was voted upon, and once during the next regular meeting. If a motion to reconsider is first made at the next regular meeting after the question had been first voted upon, the member requesting reconsideration shall identify for all members present the Agenda number, Council file number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of eight members of the Council. If a motion to reconsider is adopted, the subject matter shall be the next order of business after that which is before the Council at the time of the motion. This limitation shall not apply if the motion for reconsideration specifies a different time for further consideration of the subject and appropriate posting thereafter takes place where required by law.

COUNCIL RULE NO. 53 - If an Agenda item or other item has been duly placed before the Council at a Council meeting and the Council has failed by sufficient votes to approve or reject the item, or the Council has not by its vote placed the item beyond its jurisdiction at the meeting, or by operation of law, or by passage of time the Council has not lost the power to act thereon, the item is continued to the next regular meeting unless the Council affirmatively votes to continue the item beyond such next meeting. Each Council Agenda shall indicate that if the Council has not lost jurisdiction over an item voted upon at the meeting, or caused it to be continued beyond the next regular meeting or placed in the archives, the item is continued to the next regular meeting for the purpose of permitting reconsideration of the vote. Any item so continued to the next regular meeting shall be considered at said meeting. The Clerk shall provide the Council with, and post a notice of, a list of such items.

CITY OF LOS ANGELES
CLAIMS BOARD

RECOMMENDATION OF THE CLAIMS BOARD
FOR CONSIDERATION BY THE CITY COUNCIL

The Honorable City Council
of the City of Los Angeles
Room 615, City Hall
200 North Main Street
Los Angeles, CA 90012

Honorable Members:

At its meeting of October 3, 2000, the Claims Board of the City of Los Angeles considered the City Attorney report concerning the payment of attorneys' fees in the matter of Tipton-Whittingham v. City of Los Angeles, USDC No. CV 94-3240 and voted (3 - 0) that your Honorable Body approve the payment of $1.7 million as requested in said report.

Claims Board, City of Los Angeles

By Steven E. Probert
Chairperson

cc: City Attorney
120210

JAMES K. HAHN
CITY ATTORNEY

WRITER'S DIRECT DIAL:
FAX:
TTY:

Office of the City Attorney
Los Angeles, California

REPORT NO. R00-0496

SEP 28 2000

REPORT RE:

TIPTON-WHITTINGHAM V. CITY OF LOS ANGELES
United States District Court No. CV-94-3240
TOMLINSON V. CITY OF LOS ANGELES
United States District Court No. CV-94-3757
SHUMAN V. CITY OF LOS ANGELES
United States District Court No. CV-94-3762
SOMMERS V. CITY OF LOS ANGELES
United States District Court No. CV-94-3760
BORCK V. CITY OF LOS ANGELES
United States District Court No. CV-94-0584
ZUMSTEIN V. CITY OF LOS ANGELES
United States District Court No. CV-94-3759
BEITZ V. CITY OF LOS ANGELES
United States District Court No. Cv-94-3768

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00 SEP 28 AM 8:54
BY CITY CLERK
DEPUTY

The Honorable City Council
City of Los Angeles
Room 615, City Hall East
Los Angeles, California 90012

Honorable Members:

Pursuant to California Government Code Section 54956.9(a), the City Attorney's Office wishes to meet in closed session to report on the above-referenced cases.

We as that the matter be placed on the City Council's closed session agenda for Tuesday, October 3, 2000.

The cases involve allegations of gender-based harassment and discrimination, and related retaliation, and are an outgrowth of Tipton-Whittingham v. City of Los Angeles, which was filed in 1994 as a class action alleging that the Los Angeles Police Department ("the Department") engaged in gender-based harassment and discrimination against women, and retaliated against those who complained of such harassment or discrimination. The City is currently represented in the case by

Bergman, Wedner & Dacey.

Very truly yours,

CECIL W. MARR
Managing Assistant
Police Division

CWM:vl
123440/Sch 2
cc: Cliff Weiss, Los Angeles Police Commission
Bernard Parks, Chief of Police
Deputy Chief, Human Resources Bureau
Commander, Employee Relations Division
Captain, Legal Affairs

(9)

00-1780 Communication from the City Attorney relative to discussion of class action lawsuit filed against the City in case entitled Johneen Jones, et al. v. City of Los Angeles, et al, LA Superior Court Case No. BC 235705 (class action lawsuit relating to employment discrimination and retaliation for reporting alleged misconduct within the Police Department).

Fiscal Impact Statement Submitted: No

Disposition _____

(10)

00-1788 Communication from the City Attorney relative to offer of settlement in case entitled Abner Thomas v. Christopher Coppock, et al., LA Superior Court Case No. BC 222753 (allegations of false imprisonment).

Fiscal Impact Statement Submitted: No

Disposition _____

(11)

96-2017 Communication from the City Attorney relative to discussion of status of case entitled Tipton-Whittingham, et al., v. City of Los Angeles, and 7 other cases filed after the abandonment of the class action allegations suit (Tomlinson v. City; Sommers v. City; Shuman v. City; Zumstein v. City; Borck v. City; Reitz v. City; Perna v. City).

Fiscal Impact Statement Submitted: No

Disposition No action at this time

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN THE COMMITTEE'S SUBJECT MATTER JURISDICTION

bf0913.agd

J. MICHAEL CAREY
City Clerk

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

96-2017

September 11, 2000

BUDGET & FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to status of Tipton-Whittingham et al. v. City of Los Angeles and seven other cases, was referred on September 8, 2000, to the BUDGET & FINANCE COMMITTEE.

J. Michael Carey

City Clerk
amm

96-2017

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

WRITER'S DIRECT DIAL:
FAX: (213) 485-8898
TTY: (213) 485-6494

REPORT NO. R 00-0451

REPORT RE:

STATUS OF

TIPTON-WHITTINGHAM ET AL. v. CITY OF LOS ANGELES
TOMLINSON v. CITY OF LOS ANGELES
SOMMERS v. CITY OF LOS ANGELES
SHUMAN v. CITY OF LOS ANGELES
ZUMSTEIN v. CITY OF LOS ANGELES
BORCK v. CITY OF LOS ANGELES
REITZ v. CITY OF LOS ANGELES
PERNA v. CITY OF LOS ANGELES

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00 SEP -7 PM 3:36
CITY CLERK
BY
DEPUTY

Budget & Finance Committee
Room 316, City Hall
Los Angeles, California 90012

Honorable Members:

This is to request that the above-captioned matter be placed on the Budget and Finance Committee's closed session agenda for September 13, 2000.

This litigation encompasses Tipton-Whittingham et al., v. City of Los Angeles and seven other cases which were filed by purported Tipton putative class members after the Tipton plaintiffs abandoned their class action allegations. The City Attorney seeks to brief the Committee on the status of the litigation.

Very truly yours,

ANGEL MANZANO, JR.
Deputy City Attorney

TKH:AM:jew

cc: Executive Director, Bd. of Police Cmsnrs.
Bernard Parks, Chief of Police
Deputy Chief, Human Resources Bureau
Commander, Employee Relations Division
Captain & Lieutenant, Risk Mgmt. Division

BUDGET AND FINANCE
SEP 8 2000

APPROVED
RELEASED

CF 96-2017

September 6, 2000

M E M O R A N D U M T O F I L E

The City Council held a Closed Session on Wednesday, September 6, 2000 pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel relative to the case entitled Tipton-Whittington v. City of Los Angeles, et al., United States District Court Case CV 94-3240 TJH (attorney fees in case alleging gender discrimination in employment in the LAPD).

The purpose of this memorandum is to note for the record that the City Council discussed this matter on the above date in Closed Session and instructed the City Attorney with respect to the subject litigation.

Konrad Carter

KONRAD CARTER
Council Clerk

962017.mem

FP 9-7-00

$80,000, will be reimbursed by the Sewer Construction and Maintenance Fund.

ITEM NO. (22)

00-1266 - FUTURE PUBLIC HEARING DATE relative to establishing **OCTOBER 11, 2000**, as the date for hearing comments on the condemnation proceedings under California Code of Civil Procedure for "TIERRA DE LA CULEBRA PARK" IMPROVEMENT PROJECT and acquisition of real property.
CD 1

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CLOSED SESSION - ITEM 23

ITEM NO. (23)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the following cases:

MEETING HELD - ACTION TAKEN IN CLOSED SESSION

96-2017 - A. Offer of settlement in the case entitled Tipton-Whittington v. City of Los Angeles, et al., United States District Court Case No. CV 94-3240 TJH (attorney fees in case alleging gender discrimination in employment in the LAPD).

MEETING NOT HELD - MATTER REFERRED TO CITY ATTORNEY

00-1584 - B. Offer of settlement in the case entitled Selvy White v. City of Los Angeles, United States District Court Case No. CV 99-3646-MMM (LAPD Sergeant claiming discrimination and retaliation).

23A

PLEASE SCHEDULE THE FOLLOWING ITEM FOR CLOSED SESSION ON WEDNESDAY, SEPTEMBER 6, 2000, per City Attorney's request and B&F Committee:

tks,
Adrienne

CLOSED SESSION

ITEM NO. ( )

96-2017 The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to offer of settlement in the case entitled, Tipton-Whittington v. City of Los Angeles, et al., US District Court Case No. CV 94-3240 TJH (attorney fees in case alleging gender discrimination in employment in the LAPD).

(Chair of the Budget and Finance Committee considered the above matter in Closed Session on August 16, 2000)

reports/#962017a

City Attorney may request recessing into Closed Session pursuant to Govt. Code Sections 54956.9(a) and/or (b) to allow the Committee to confer with its legal counsel on the following matter:

(4)

99-0600-S60 City Attorney report relative to the status of liability claims.

Fiscal Impact Statement Submitted: No

Disposition _____

****

Closed Session

City Attorney requests Closed Session pursuant to Govt. Code Sections 54956.9(a) and/or (b) to allow the Committee to confer with its legal counsel on the following matters:

(5)

96-2017 Communication from the City Attorney relative to settlement in case entitled Tipton-Whittington v. City of Los Angeles, et al, US District Court Case No. CV 94-3240 TJH (attorney fees in case alleging gender discrimination in employment in the LAPD).

Fiscal Impact Statement Submitted: No

Disposition _____

(6)

00-1595 Communication from the City Attorney relative to settlement in case entitled Alani Penny v. City of Los Angeles, LA Superior Court Case No. BC 21737 (alleged violation of civil rights).

Fiscal Impact Statement Submitted: No

Disposition _____

(7)

00-1597 Communication from the City Attorney relative to settlement in case entitled Christopher Paterson v. City of Los Angeles, Ninth Circuit Court Case No. 99-56973 (former LAPD officer claiming violation of constitutional rights as the result of a "stay away" order).

Fiscal Impact Statement Submitted: No

Disposition _____

CITY OF LOS ANGELES
CLAIMS BOARD

RECOMMENDATION OF THE CLAIMS BOARD
FOR CONSIDERATION BY THE CITY COUNCIL

The Honorable City Council
of the City of Los Angeles
Room 615, City Hall
200 North Main Street
Los Angeles, CA 90012

Honorable Members:

At its meeting of Aug 9th, 2000, the Claims Board of the City of Los Angeles considered Report No. R00-0425 of the City Attorney in the matter of:

TIPTON-WHITTINGHAM v City USDC # 94-3240

and voted that your Honorable Body (~~approve~~/reject) the settlement proposal as described in said report.

Claims Board

By _____
Chairperson

cc: City Attorney

120210

#5

SUMMARY OF REDUCTIONS IN ATTORNEYS FEES REQUESTED BY PLAINTIFFS

REDUCTION ACTIVITY	REDUCTIONS WITH CITY'S PROPOSED HOURLY RATES	REDUCTIONS WITH PLAINTIFFS' PROPOSED HOURLY RATES
Initial Fees Requested	$2,490,704.70	$2,490,704.70
STEP ONE: Reduction To Reasonable Hourly Rate		
Rate Reduction (Moscaret Decl. ¶36-39 & Exh. F thereto)	$278,449.75	$0.00
Subtotal Following Step One Reductions	**$2,212,254.95**	**$2,490,704.70**
STEP TWO: Reductions For Excessive And/Or Non-Compensatory Time Entries		
Conferences (Reduce from 46% to 20% of total billings - Moscaret Decl. ¶ 47-52 & Appendix thereto)	$567,758.26	$647,673.60
Clerical / Secretarial Work (use fixed rate of $30 per hr - Moscaret Decl. 54 & Exh. G thereto)	$41,585.50	$48,214.25
Mediations Re: Damages (50% of time in this activity - Moscaret Decl. ¶ 57-59)	$71,545.00	$79,164.88
Post Plan Work & Individual Counseling (3% of Step One Subtotal)	$66,367.62	$74,721.14
Pre-Litigation Personnel Committee Hearings (disallow in entirety - Bergman Decl. ¶3)	$15,070.00	$16,632.00
Fee Application (50% of time in this activity - Moscaret Decl. ¶56, Exh. I)	$53,220.12	$60,062.50
Class Certification (disallow in entirety - Moscaret Decl. ¶ 55, Exh. H)	$11,437.50	$12,911.50
Subtotal Following Step Two Reductions	**$1,385,270.95**	**$1,551,324.83**

EXHIBIT 1

STEP THREE: Reductions For Inadequate Billing Records		
Vague / Incomprehensible Entries (20% of time spent in this activity - Moscaret Decl. ¶60-61, Exhs. K-L)	$7,604.35	$8,512.40
Failure To Apportion / Exercise Billing Judgment (10% of Step Two Subtotal)	$138,527.09	$155,132.48
Subtotal Following Step Three Reductions	**$1,239,139.51**	**$1,387,679.95**
STEP FOUR: Reductions To Achieve Reasonable Fee Award Based On Remaining Pertinent Factors		
35% Reduction of Step Three Subtotal	$433,698.82	$485,687.98
GRAND TOTAL FEE AWARD – After All Reductions	**$805,440.69**	**$901,991.92**

COST/DISBURSEMENT CATEGORIES TO BE REDUCED

COST ITEM	TOTAL BILLED	AMOUNT OF PROPOSED REDUCTION
Clerical Expense	$263.75	$263.75 (disallow in entirety)
Meals	$646.56	$646.56 (disallow in entirety)
Office Supplies	$779.65	$779.65 (disallow in entirety)
Word Processing (billed at $30.00/hr)	$3,721.25	$3,721.25 (disallow in entirety)
Data Base Entry (billed at $30.00/hr)	$49,749.75	$24,874.87 (50% reduction - excessive and no substantiation)
In-house Photocopying (billed at $.25-.27 per page)	$38,709.60	$24,372.72 (reduction to $.10 per page)
Telecopy/Fax billed at $2.50 plus $.50 per page)	$2,961.75	To Be Determined
Consulting Fees	$5,200.36	$5,200.36 (disallow in entirety - no substantiation)
Expert Fees	$3,400.00	$3,400.00 (disallow in entirety - no substantiation)
Outside Copy Charges	$54,293.20	$54,293.20 (disallow in entirety - no substantiation)
TOTAL REDUCTION		$117,552.36

EXHIBIT 2

J. MICHAEL CAREY
City Clerk

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

96-2017

August 7, 2000

BUDGET & FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to the case entitled Tipton-Whittingham v. City, United States District Court No. CV94-3240, was referred on August 4, 2000, to the BUDGET & FINANCE COMMITTEE.

J. Michael Carey
City Clerk
ys

Recyclable and made from recycled waste.

JAMES K. HAHN
CITY ATTORNEY

WRITER'S DIRECT DIAL:
FAX:
TTY:

Office of the City Attorney
Los Angeles, California

REPORT NO. R00-0425
AUG 03 2000

REPORT RE:

TIPTON-WHITTINGHAM v. CITY
United States District Court No. CV94-3240

The Honorable City Council
City of Los Angeles
Room 615, City Hall East
Los Angeles, California 90012

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00 AUG -4 AM 6:55
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BY
DEPUTY

Honorable Members:

Pursuant to California Government Code Section 54956.9(b), the City Attorney's Office wishes to meet in closed session to report on the above-referenced case. This is the only written report which we intend to submit in this matter. We ask that the matter be placed on the Budget and Finance Committee's closed session agenda for its meeting of **August 16, 2000**, and then on the City Council's closed session agenda for **August 23, 2000**.

Recently, U.S. District Court Judge Terry Hatter ruled that the plaintiffs' attorneys are entitled to attorney fees in advance of prevailing, on the theory that they were "catalysts" for change in the area of gender equity. We reported on that decision during the month of June. Since that time, the parties have engaged in mediation in an attempt to resolve the fee issue.

We wish to discuss strategies for resolving that dispute in closed session.

Very truly yours,

CECIL W. MARR
Managing Assistant
Police Division

CWM:bb
119809
cc: Los Angeles Police Commission
Bernard Parks, Chief of Police
Deputy Chief, Human Resources Bureau
Commander, Employee Relations Division
Lieutenant & Captain, Legal Affairs

BUDGET AND FINANCE
AUG 4 2000

96-2017
94-1143

July 5, 2000

PLACE IN FILES
JUL 07 2000
DEPUTY

MEMORANDUM TO FILE

The City Council held a Closed Session on Wednesday, July 5, 2000 pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel relative to offer of settlement of the case entitled, Tipton-Whittingham v. City of Los Angeles, et al., United States District Court Case No. CV 94-3240 TJH (gender discrimination claims).

The purpose of this memorandum is to note for the record that the City Council discussed the above matter in Closed Session. No action was taken, inasmuch as the City Attorney briefing was for informational purposes only.

Maria Kostrencich
MARIA KOSTRENCICH
Council Clerk

96-2017.mem

CONTINUED TO JULY 12, 2000

00-1142 - B. Offer of settlement in the case entitled, Elmer G. Pratt v. United States of America, et al., United States District Court Case No. CV 98-4237 (case arises out of a murder investigation conducted by the LAPD in 1970 and subsequent prosecution of the plaintiff for murder in 1972).

CONTINUED TO JULY 14, 2000

00-1264 - C. Offer of settlement in the case entitled, Shaw v. City of
CD 5 Los Angeles, Los Angeles Superior Court Case No. SC 057450 (inverse condemnation claim concerning 9131 Calle Juela Drive, Los Angeles).

CONTINUED TO JULY 12, 2000

00-1234 - D. Offer of settlement in the case entitled, City of Los Angeles v. Kaur Jeet Singh, et al, Los Angeles Superior Court Case No. BC 218679 (lawsuit arising from traffic accident that occurred on October 25, 1998 at intersection of Broadway and Fourth Street in Los Angeles).

(Budget and Finance Committee considered the above matters in Closed Session on June 28, 2000)

MEETING HELD - NO ACTION REQUIRED

00-1044 - E. Status of all pending claims and lawsuits alleging the City's Payroll Expense Tax and Business Tax discriminate against business.

(Pursuant to Council action of May 31, 2000 - Continued from Council meeting of June 13, 2000)

MEETING HELD - NO ACTION REQUIRED

96-2017 - F. Offer of settlement of the case entitled Tipton-Whittingham v.
94-1143 City of Los Angeles, et al., United States District Court Case No. CV 994-3240 TJH (gender discrimination claims).

(Continued from Council meeting of June 23, 2000)

ADJOURNING MOTIONS

COUNCIL ADJOURNMENT

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City

CLOSED SESSION - ITEM 72

ITEM NO. (72)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to offer of settlement for the following cases:

MEETING NOT HELD - CONTINUED TO JUNE 27, 2000

00-1108 - A. Todd F. Sadow and Davis Vaun Crumly v. City of Los Angeles, et al., Los Angeles Superior Court Case No. SC 056279 (inverse condemnation case concerning damage to real property at 17411 Posetano Road [Sadow property] and 17480 Revello Drive [Crumley property], Pacific Palisades).

MEETING NOT HELD - CONTINUED TO JULY 5, 2000

96-2017 - B.
94-1143 Tipton-Whittingham v. City of Los Angeles, et al., United States District Court Case No. CV 994-3240 TJH (gender discrimination claims).

MEETING NOT HELD - CONTINUED TO JUNE 27, 2000

00-1132 - C. Margarita Velasquez v. City of Los Angeles, Los Angeles Superior Court Case No. BC 211854 (matter arises out of a trip and fall which occurred on November 30, 1998 at 2331 Yosemite Drive).

MEETING NOT HELD - CONTINUED TO JUNE 27, 2000

00-1134 - D. Longino Gonzalez, et al., v. City of Los Angeles, et al., Los Angeles Superior Court Case No. PC 020870 (matter arises out of an automobile accident that occurred on August 31, 1997).

(Chair of the Budget and Finance Committee considered the above matters in Closed Session on June 14, 2000)

(8)

00-1079 Communication from the City Attorney relative to discussion of litigation in case entitled Elvis Ponce de Lean v. City of Los Angeles, LA Superior Court Case No. BC 230481 (alleges that plaintiff was beaten while handcuffed, subjected to false reports, false arrest and false testimony).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(9)

00-1108 Communication from the City Attorney relative to offer of settlement in case entitled Todd F. Sadow and Davis Vaun Crumly v. City of Los Angeles, et al., LA Superior Court Case No. SC 056279 [inverse condemnation case concerning damage to real property at 17411 Posetano Road (Sadow property) and 17480 Revello Drive (Crumley property), Pacific Palisades].

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(10)

96-2017
94-1143 Communication from the City Attorney relative to offer of settlement in case entitled Tipton-Whittingham v. City of Los Angeles, et al., US District Court Case No. CV 994-3240 TJH (gender discrimination claims).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(11)

00-1134 Communication from the City Attorney relative to offer of settlement in case entitled Longino Gonzalez, et al., v. City of Los Angeles, et al., LA Superior Court Case No. PC 020870 (matter arises out of an automobile accident that occurred on August 31, 1997).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(12)

00-1132 Communication from the City Attorney relative to offer of settlement in case entitled Margarita Velasquez v. City of Los Angeles, LA Superior Court Case No. BC 211854 (matter arises out of a trip and fall which occurred on November 30, 1998 at 2331 Yosemite Drive).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN THE COMMITTEE'S SUBJECT MATTER JURISDICTION

bf0614.agd

J. MICHAEL CAREY
City Clerk

When making inquiries relative to this matter refer to File No.

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

96-2017

June 9, 2000

BUDGET & FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to the case entitled Tipton-Whittingham v. City, United States District Court No. CV 94-3240, was referred on June 9, 2000, to the BUDGET & FINANCE COMMITTEE.

J. Michael Carey

City Clerk
amm

96-2017

JAMES K. HAHN
CITY ATTORNEY

WRITER'S DIRECT DIAL:
FAX:
TTY:

Office of the City Attorney
Los Angeles, California

REPORT NO. R00-0330

REPORT RE: JUN 08 2000

TIPTON-WHITTINGHAM V. CITY
United States District Court No. CV 94-3240

RECEIVED
CITY CLERK'S OFFICE
00 JUN -9 AM 7:15
BY CITY CLERK
DEPUTY

The Honorable City Council
City of Los Angeles
Room 615, City Hall East
Los Angeles, CA 90012

Honorable Members:

Pursuant to California Government Code Section 54956.9(a), the City Attorney's Office wishes to meet in closed session to report on the above-referenced case. This is the only written report which we intend to submit in this matter.

We ask that the matter be placed on the Budget and Finance Committee's closed session agenda for its meeting of **June 14, 2000**, and then on the City Council's closed session agenda for **June 21, 2000**.

Recently, U.S. District Court Judge Terry Hatter ruled that the plaintiffs' attorneys are entitled to attorney fees in advance of prevailing, on the theory that they were "catalysts" for change in the area of gender equity. Although the amount of such fees remains in question, those plaintiffs previously submitted a claim for $2 million in attorney fees and requested a multiplier of two.

In light of the significance of that ruling, we wish to brief the Council closed session regarding this case.

Very truly yours,

JAMES K. HAHN, City Attorney

By
CECIL W. MARR
Managing Assistant
Police Division

BUDGET AND FINANCE

CWM:sjs
61708
cc: Board of Police Commissioners; Bernard Parks, Chief of Police; Deputy Chief, Human Resources Bureau; Commander, Employee Relations Division; Captain & Lieutenant, Risk Management Division

JUN 9 2000

Recyclable and made from recycled waste.

CF 96-2017

June 23, 1999

MEMORANDUM TO FILE

The City Council held a Closed Session on Wednesday June 23, 1999, pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel relative to litigation case entitled, Tipton-Whittingham, et al. v. City of Los Angeles, et al., U.S. District Court Case No. CV 3240-WDK [claiming alleged discrimination in promotions in the Los Angeles Police Department].

The purpose of this memorandum is to note for the record that the City Council discussed this matter on the above date in Closed Session and instructed the City Attorney with respect to the subject litigation.

Maria Kostrencich

MARIA KOSTRENCICH
Legislative Assistant I/Assistant Minute Clerk

PLACE IN FILES
JUN 25 1999
DEPUTY

1. FIND that the Los Angeles World Airports is authorized to transfer $97,500 to the Human Relations Trust Fund Account No. 514 to cover the costs of the 1999 Summer Shoulder to Shoulder program designed to build improved relations across the lines of race, gender, age, religion and sexual orientation among youth.

2. FIND that the Human Relations Commission is authorized to pay for the Summer Shoulder to Shoulder program from the Human Relations Trust Fund Account No. 514.

3. TRANSFER $97,500 from the Los Angeles World Airports to the Human Relations Trust Fund Account No. 514.

(Continued from Council meeting of June 16, 1999)

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CLOSED SESSION - ITEM 46

ITEM NO. (46)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the following cases:

MEETING HELD - ACTION TAKEN IN CLOSED SESSION

96-2017 - A. Litigation case entitled, Tipton-Whittingham, et al. v. City of Los Angeles, U.S. District Court Case No. CV 3240-WDK [alleged discrimination in promotions in the Los Angeles Police Department].

(Previously considered in Closed Session December 15, 1998)

MEETING NOT HELD - CONTINUED TO JUNE 25, 1999

99-0856 - B. Settlement in the case entitled, Spizzirri v. Community Redevelopment Agency of the City of Los Angeles, et al., Los Angeles Superior Court No. BC 201616 [involving lawsuit by owner of an automobile dealership adjacent to the Staples Center; considered by Budget and Finance Committee on June 15, 1999].

PLEASE SCHEDULE THE FOLLOWING ITEM FOR CLOSED SESSION ON WEDNESDAY, JUNE 23, 1999, per City Atty (A. Manzano) request:

Thx,
mk

CLOSED SESSION - ITEM

ITEM NO. ()

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to litigation case entitled, Tipton-Whittingham, et al. v. City of Los Angeles, U.S. District Court Case No. CV 3240-WDK [alleged discrimination in promotions in the Los Angeles Police Department]

(Previously considered in Closed Session December 15, 1998)

calagend\96-2017.age

JAMES K. HAHN
CITY ATTORNEY

WRITER'S DIRECT DIAL: 485-6494
FAX:
TTY:

Office of the City Attorney
Los Angeles, California

REPORT NO. R99-0162

JUN 8 1999

REPORT RE:

TIPTON-WHITTINGHAM ET AL. V. CITY OF LOS ANGELES

RECEIVED
CITY CLERK'S OFFICE
99 JUN -8 PM 3:21
BY CITY CLERK
DEPUTY

Honorable City Council
City of Los Angeles
Room 615, City Hall
200 North Main Street
Los Angeles, California 90012

Honorable Members:

Pursuant to California Government Code §54956.9(a), the City Attorney's Office wishes to meet in closed session to discuss the status of the above-referenced case. We ask that this matter be set for Council closed session on **Wednesday, June 23, 1999.**

This matter arises from claims of discrimination in promotions.

Very truly yours,

JAMES K. HAHN, City Attorney

By
ANGEL MANZANO, Jr.
Deputy City Attorney

AM:sjs
86448

cc: Executive Director, Los Angeles Police Commission
Bernard Parks, Chief of Police
Deputy Chief, Human Resources Bureau
Commander, Employee Relations Division
Lieutenant, Legal Affairs

APPROVED

RELEASED

CF 96-2017

PLACE IN FILES
DEC 18 1998
DEPUTY

December 15, 1998

MEMORANDUM TO FILE

The City Council held a Closed Session on Tuesday, December 15, 1998, pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies - prior Closed Session held on November 1 and 5, 1996].

The purpose of this memorandum is to note for the record that the Council was briefed on the status of the above matter by the City Attorney's office, outside legal counsel (Law offices of Bergman & Wedner), and Los Angeles Police Department in Closed Session and no action was taken.

DIAN M. TITUS
Legislative Assistant II/Minute Clerk

CONTINUED CLOSED SESSIONS - ITEMS 52-53

ITEM NO. (52) - **MEETING HELD - BRIEFING ON STATUS ONLY, NO ACTION TAKEN**

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies - prior Closed Sessions held on November 1 and 5, 1996 and continued from November 25, 1998].

ITEM NO. (53) - **MEETING HELD - BRIEFING ON STATUS ONLY, NO ACTION TAKEN**

98-2111 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to litigation case entitled, Kaitlin Baca, et al., v. City of Los Angeles, Central District U. S. District Court Case No. 98-2865 R [civil rights and declaratory relief class action lawsuit alleging denial of equal protection under the federal and state constitutions by gender discrimination and denial of equal access to public recreation facilities for the West Valley Girls Softball League and similarly situated female athletes].

ATE: DEC 15, 1998 COUNCIL ITEM NO. 52

PLEASE PRINT

PERSONS SEATED AT CENTER TABLE TO ANSWER QUESTIONS

AND PROVIDE INFORMATION TO COUNCIL MEMBERS

	NAME	TITLE	ORGANIZATION
1.	Robert Cramer	Asst. City Atty	City Attorney
2.	ROBERT S. GIL	DEPUTY CHIEF	LAPD
3.	BETTY P. KELEPECZ	COMMANDER	LAPD
4.	Fred Merkin	Sr. Asst City Atty	City Attorney
5.	Greg Bergman	attorney	Bergman & Wedner
6.	Blythe Smith	attorney	Bergman & Wedner
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CONTINUED CLOSED SESSIONS - ITEMS 52-53

ITEM NO. (52)

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies - prior Closed Sessions held on November 1 and 5, 1996 and continued from November 25, 1998].

ITEM NO. (53)

98-2111 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to litigation case entitled, Kaitlin Baca, et al., v. City of Los Angeles, Central District U. S. District Court Case No. 98-2865 R [civil rights and declaratory relief class action lawsuit alleging denial of equal protection under the federal and state constitutions by gender discrimination and denial of equal access to public recreation facilities for the West Valley Girls Softball League and similarly situated female athletes].

ITEM NO. (9)

98-2247 - FINAL MAP OF TRACT NO. 49104-01 lying northeasterly of Lincoln
CD 6 Boulevard and southeasterly of Jefferson Boulevard.
(ADOPT Bond No. C-97504)
(Expiration Date: September 21, 2000)
Applicants: Playa Capital Company, LLC
Psomas & Associates

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CONTINUED CLOSED SESSION - ITEM 10

ITEM NO. (10) - **MEETING NOT HELD - CONTINUED TO DECEMBER 15, 1998**

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies - prior Closed Sessions held on November 1 and 5, 1996 and continued from November 25, 1998].

[Continue above Closed Session matter to December 15, 1998, pursuant to request by City Attorney's Office]

ADJOURNING MOTIONS

COUNCIL ADJOURNMENT

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

ITEM NO. (9)

98-2247 - FINAL MAP OF TRACT NO. 49104-01 lying northeasterly of Lincoln
CD 6 Boulevard and southeasterly of Jefferson Boulevard.
(ADOPT Bond No. C-97504)
(Expiration Date: September 21, 2000)
Applicants: Playa Capital Company, LLC
Psomas & Associates

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CONTINUED CLOSED SESSION - ITEM 10

ITEM NO. (10)

96-2017 - The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies - prior Closed Sessions held on November 1 and 5, 1996 and continued from November 25, 1998].

[Continue above Closed Session matter to December 15, 1998, pursuant to request by City Attorney's Office]

ADJOURNING MOTIONS

COUNCIL ADJOURNMENT

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

ITEMS CALLED SPECIAL

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

MOTIONS FOR POSTING AND REFERRAL

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM ATTENDANCE AT COUNCIL MEETINGS

CLOSED SESSION - ITEM 57

ITEM NO. (57) - **MEETING NOT HELD - CONTINUED TO DECEMBER 11, 1998**

96-2017 - The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies - prior Closed Sessions held on November 1 and 5, 1996].

ADJOURNING MOTIONS

COUNCIL ADJOURNMENT

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at or prior to, the public hearing. Any written correspondence delivered to the City Clerk before the City Council's final action on a matter will become a part of the administrative record.

J. MICHAEL CAREY
City Clerk

When making inquiries relative to this matter refer to File No.

#57

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

96-2017

October 2, 1998

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

In accordance with Council Rules, communication from the Board of Police Commissioners relative to the Tipton-Whittingham Report, was referred on October 2, 1998, to the PUBLIC SAFETY COMMITTEE and PERSONNEL COMMITTEE.

J. Michael Carey
City Clerk
amm

96-2017

LOS ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

EDITH R. PEREZ
PRESIDENT

T. WARREN JACKSON
VICE PRESIDENT

HERBERT F. BOECKMANN, II
GERALD L. CHALEFF
DEAN HANSELL

LUPE ORTIZ
COMMISSION EXECUTIVE ASSISTANT

RICHARD J. RIORDAN
MAYOR

JOSEPH A. GUNN
EXECUTIVE DIRECTOR

KATHERINE MADER
INSPECTOR GENERAL

EXECUTIVE OFFICE
SUITE 144-150, PARKER CENTER
150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
(213) 485-8861 FAX

September 29, 1998

Honorable Council members
Council of the City of Los Angeles
c/o City Clerk's Office
Room 615, City Hall East
200 N. Main Street
Los Angeles, CA 90012

TIPTON-WHITTINGHAM REPORT

At a regular meeting of the Board of Police Commissioners held September 29, 1998, this Board considered and approved the enclosed report from the Chief of Police relative to the above-mentioned plan.

The Board requested that this matter be transmitted to your office for further processing.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

LUPE ORTIZ
Commission Executive Assistant

cc: Chief of Police

PUBLIC SAFETY

PERSONNEL

OCT 02 1998

FILED
CITY CLERK'S OFFICE

'98 OCT -1 A9:55

CITY CLERK

BY. _____ DEPUTY

SEP 29 1998
96

INTRADEPARTMENTAL CORRESPONDENCE

September 10, 1998
2.1.2

BOARD OF
POLICE COMMISSIONERS
Approved 9 29 98
Secretary

RECEIVED
SEP 1 1998
POLICE COMMISSION

TO: Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: TIPTON-WHITTINGHAM REPORT

Honorable Members:

On May 18, 1994, a lawsuit entitled Terry Tipton-Whittingham, et. al. v. City of Los Angeles, et. al., Case Number CV-94-3240 ("the Tipton Action"), was filed against the City of Los Angeles. The plaintiffs in the Tipton Action allege that during their employment with the Department, they were subjected to an unlawful pattern of discrimination, sexual harassment, and retaliation.

The Department has formulated the attached document, "Existing Policies and Future Plans for Structural Change" (hereinafter, "Plan"). The Plan is intended to provide procedures whereby all employees are ensured of equal opportunity. Since the Tipton plaintiffs are women and men who allege that they faced retaliation, the Plan is particularly tailored toward ensuring that its procedures shall be used without such repercussions.

It is requested that the Board of Police Commissioners approve and transmit the attached Plan to City Council.

Respectfully,

B. C. Parks

BERNARD C. PARKS
Chief of Police

Attachment

CF 96-2017

November 5, 1996

M E M O R A N D U M T O F I L E

The City Council held a Closed Session for a report and update of legal issues from its legal counsel with respect to a Proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

The purpose of this memorandum is to note for the record that the Closed Session was held as noted above and that an action was taken in closed session.

JOHN C. BURMAHLN
Minute Clerk

FILED

NOV 05 1996

ELIAS MARTINEZ, City Clerk
By _____, Deputy

962017.cs

CONTINUED CLOSED SESSION

ITEM NO. (29)

- The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the following matters:

95-0016 - A. Settlement offer in the litigation case entitled, E.W.A.P., Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 123230 and Court of Appeal Case No. B 102861. [E.W.A.P. disputes City's administrative determination that the adult bookstore, Le Sex Shoppe, at 21625 Sherman Way, Canoga Park, constitutes a public nuisance; Planning and Land Use Management Committee report adopted by Council on February 28, 1995, BZA 5039, ZA 94-0367 RV.]
CD 3

(Continued from Council meeting of November 1, 1996)

96-2017 - B. Proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

(Continued from Council meeting of November 1, 1996)

CF 96-2017

November 1, 1996

MEMORANDUM TO FILE

The City Council held a Closed Session on Friday, November 1, 1996, pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel with respect to the Proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

The purpose of this memorandum is to note for the record that action was taken on the above date by the City Council in Closed Session and instructions given to the City Attorney with respect to the above lawsuit. Subsequently, Motion was adopted in Open Session to continue the above matter to November 5, 1996.

DIAN M. TITUS
Legislative Assistant II/Minute Clerk

DATE: 11-1-96 COUNCIL ITEM NO. 43B

PLEASE PRINT

PERSONS SEATED AT CENTER TABLE TO ANSWER QUESTIONS

AND PROVIDE INFORMATION TO COUNCIL MEMBERS

	NAME	TITLE	ORGANIZATION
1.	W. J. Williams	Chief of Police	LAPD.
2.	Charles Dickerson	Special Assistant	Office of the City Atty.
3.	Robert Cramer	Assistant City Atty.	City Attorney
4.	T. WARREN JACKSON	COMMISSIONER	POLICE COMMISSION
5.	Raymond C. Fisher	Pres. LAPC	LAPC
6.	JURUTHA BROWN	C M	PERSONNEL
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43B

REPORT FROM

CITY ADMINISTRATIVE OFFICER

TO	DATE	CAO FILE No.
The Council	10-24-96	
REFERENCE		COUNCIL FILE No.
Meeting of the City Council held October 22, 1996		96-2017
SUBJECT		COUNCIL DISTRICT
The Costs Associated with the Proposed Tipton-Whittingham Consent Decree		

SUMMARY

The Council, during its meeting of October 22, 1996, directed this office to report on the potential costs associated with the proposed Consent Decree arising from the Tipton-Whittingham litigation against the City of Los Angeles (C. F. No. 96-2017).

Current Discrimination Complaint Program

The Consent Decree specifically recognizes the City's current efforts to establish a discrimination complaint program within the Police Department and states that they should proceed as rapidly as possible.

Included in the 1996/97 Police Department budget are six civilian positions to serve as an independent Discrimination/Harassment Complaint Unit at a cost of approximately $339,000 including salaries and benefits. All of these positions are currently vacant pending the approval of a consultant, as described below.

In September 1995, the Council directed the Board of Police Commissioners to hire a consultant to generally improve the department's policies and procedures related to sexual harassment and discrimination. The Board of Police Commissioners, pending the approval of Council, has selected Golden State Management Services (GSMS) at a cost of $472,000 for the first year. This office is currently preparing a report which will recommend that the proposed contract be funded through savings in the Police Department budget.

Additional Costs to be Incurred From the Proposed Consent Decree

Under the Consent Decree the City would incur additional costs to meet the following requirements.

- The City would be required to include sworn personnel in the Discrimination/ Harassment Complaint Unit. The Police Department recommends the addition of two Sergeant II positions and

(Summary continued)

K. Connor

CITY ADMINISTRATIVE OFFICER

an upgrade of one existing civilian position. Additional costs for salaries and benefits are estimated to be $220,000.

- The City would be required to lease office space for the Discrimination/ Harassment Complaint Unit staff in a facility where no other departmental personnel are located. The annual cost for sufficient office space is estimated to be $30,000.

- Specified tasks would have to be performed by an outside consultant. It appears that the proposed contract with GSMS will cover some but not all of these requirements. As a result, it is likely that additional consulting costs will be incurred to perform those requirements not included in the proposed GSMS contract. Until the scope of such a contract is determined, the cost is unknown.

- The Consent Decree further requires that a consultant be hired to monitor the work to be performed by GSMS. Until the scope of such a contract is determined, the cost is unknown.

- The City will be required to track the performance and progress of all departmental employees with a high degree of detail. To the extent that the City does not already track this data, there are potential costs of an unknown amount associated with the procurement of a data base system and the staff to maintain it.

- The recruitment of women and certain minorities would have to be expanded and improved to meet the requirements of the Consent Decree. The Personnel Department estimates the annual additional cost to be approximately $500,000.

- The City would be obligated to pay the plaintiffs' attorneys' fees for work already performed, any additional work required to monitor or defend the Consent Decree and any other costs associated with the Consent Decree over the next 18 years. The City Attorney has estimated that the initial payment for work already performed would be approximately $1.5 million and that monitoring fees for the first year could be approximately $500,000.

Conclusion

Based on the information available to us, it is estimated that the initial and first-year costs of these Consent Decree requirements would be between $2.5 million and $4 million. This is in addition to the approximately $800,000 the City has already committed toward the establishment of a Discrimination Complaint Program.

It is difficult to project the ongoing costs of many of these requirements over the 18-year term of the Consent Decree because they will be affected by unknown factors, such as the number of discrimination complaints, the number of challenges to the Consent Decree and the City's progress in meeting the goals of the Consent Decree.

LKE:ocm

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Recyclable and made from recycled waste.

43B

CONTINUED CLOSED SESSION

ITEM NO. (43)

- The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to the following matters:

95-0016 - A. Settlement offer in the litigation case entitled, E.W.A.P., Inc. v. City of Los Angeles, Los Angeles Superior Court Case No. BC 123230 and Court of Appeal Case No. B 102861. [E.W.A.P. disputes City's administrative determination that the adult bookstore, Le Sex Shoppe, at 21625 Sherman Way, Canoga Park, constitutes a public nuisance; Planning and Land Use Management Committee report adopted by Council on February 28, 1995, BZA 5039, ZA 94-0367 RV.]
CD 3

MTG HELD - ACTION TAKEN CLOSED SESSION · CONT TO NOV - 5 1996

96-2017 - B. Proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

(Continued from Council meeting of October 25, 1996)

CONTINUED CLOSED SESSION

ITEM NO. (57) OCT 30 1996 - MTG NOT HELD Continued to 11-1-96

96-2017 - The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

(Continued from Council meeting of October 25, 1996)

LOS ANGELES CITY COUNCIL - **CONTINUATION AGENDA**
FRIDAY, **OCTOBER 25, 1996**
COUNCIL CHAMBER - ROOM 340, CITY HALL - 10 AM

CONTINUED FROM: TUESDAY, OCTOBER 22, 1996

SCHEDULED IN COUNCIL FOR CONSIDERATION FRIDAY, OCTOBER 25, 1996

CONTINUED CLOSED SESSION

ITEM NO. (40) OCT 25 1996 - MTG. NOT HELD - Continued to OCT. 30, 1996

96-2017 - The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

CF 96-2017

October 23, 1996

MEMORANDUM TO FILE

The City Council held a Closed Session on Tuesday, October 22, 1996, pursuant to authority provided in California Government Code Section 54956.9(a) to confer with its legal counsel relative to a proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

The purpose of this memorandum is to note for the record that following the presentation of the City Attorney in Closed Session, the above matter was continued to Friday, October 25, 1996, to allow the Police Commission an opportunity to review the proposed Consent Decree, and the City Attorney was requested to brief Councilmembers upon request.

Dian M. Titus

DIAN M. TITUS
Legislative Assistant II/Minute Clerk

RESOLUTION CALENDARED PURSUANT TO COUNCIL RULE NO. 16
(10 Votes Required for Consideration)

ITEM NO. (25)*

96-0600 - RESOLUTION (ALATORRE - GOLDBERG) relative to authorizing
S75 substitute personnel authority for certain City departments and bureaus for Fiscal Year 1996-97.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

RESOLVE that the Council GRANT substitute personnel authority for certain City departments and bureaus in accordance with the Attachment entitled, 1996-97 Activation of Substitute Authorities from July 1, 1996, through June 30, 1997, pursuant to the provisions of Division 4, Sections 4.133, 4.189 and 4.72 of the Los Angeles Administrative Code.

CLOSED SESSIONS (Items 26-27)

ITEM NO. (26) - **MEETING HELD - CONTINUED TO OCTOBER 25, 1996, AND IN THE INTERIM CITY ATTORNEY TO BRIEF COUNCILMEMBERS UPON REQUEST**

96-2017 - The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

ITEM NO. (27)

The City Council will recess to Closed Session, pursuant to Government Code Section 54957.6, to confer with the City Administrative Officer relative to the following matters:

- A. Executive Employee Relations Committee's recommendations concerning the proposed Universal Performance Factors for General Managers and the proposed evaluation process for Fiscal Year 1995-96

96-2018 - B. Executive Employee Relations Committee's recommendation relative to a one-year proposed agreement between the City of Los Angeles and Susan Herman, former General Manager of the Department of Telecommunications, to provide professional consulting services in the completion of the management reorganization and streamlining activities of the Information Technology Agency.

DATE: OCT 22, 1996 COUNCIL ITEM NO. 26

PLEASE PRINT

PERSONS SEATED AT CENTER TABLE TO ANSWER QUESTIONS

AND PROVIDE INFORMATION TO COUNCIL MEMBERS

	NAME	TITLE	ORGANIZATION
1.	ART MATTOX	VICE PRESIDENT	Police Commissio
2.	RAY FISHER	PRESIDENT	"
3.	CHARLES DICKERSON	Special Assistant	City Attorney
4.	Robert Cramer	Asst. City Atty.	City Attorney
5.	F.E. PIERSOL	ASST-CHIEF	LAPD
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RESOLUTION CALENDARED PURSUANT TO COUNCIL RULE NO. 16
(10 Votes Required for Consideration)

ITEM NO. (25)*

96-0600 - RESOLUTION (ALATORRE - GOLDBERG) relative to authorizing
S75 substitute personnel authority for certain City departments and bureaus for Fiscal Year 1996-97.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

RESOLVE that the Council GRANT substitute personnel authority for certain City departments and bureaus in accordance with the Attachment entitled, 1996-97 Activation of Substitute Authorities from July 1, 1996, through June 30, 1997, pursuant to the provisions of Division 4, Sections 4.133, 4.189 and 4.72 of the Los Angeles Administrative Code.

CLOSED SESSIONS (Items 26-27)

ITEM NO. (26)

96-2017 - The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

ITEM NO. (27)

The City Council will recess to Closed Session, pursuant to Government Code Section 54957.6, to confer with the City Administrative Officer relative to the following matters:

- A. Executive Employee Relations Committee's recommendations concerning the proposed Universal Performance Factors for General Managers and the proposed evaluation process for Fiscal Year 1995-96

96-2018 - B. Executive Employee Relations Committee's recommendation relative to a one-year proposed agreement between the City of Los Angeles and Susan Herman, former General Manager of the Department of Telecommunications, to provide professional consulting services in the completion of the management reorganization and streamlining activities of the Information Technology Agency.

PLEASE SCHEDULE THE FOLLOWING ITEM FOR CLOSED SESSION ON TUESDAY, OCTOBER 22, 1996, per City Atty request (Robert Cramer, 485-5432):

tks,
dt

CLOSED SESSION

96-2017 - The City Council will recess to Closed Session, pursuant to Government Code Section 54956.9(a), to confer with its legal counsel relative to a proposed Consent Decree resolving injunctive relief issues in the purported class action litigation entitled, Tipton-Whittingham v. City of Los Angeles, U. S. District Court Case No. CV 3240-WDK [challenging Police discipline policies].

calagend/96-2017.age

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

CRIMINAL BRANCH
(213) 485-5452
—
CIVIL BRANCH
(213) 485-6370
—
WRITERS' DIRECT DIAL
NUMBER (213) 485-5432

REPORT NO. R96-0386
OCT 15 1996

REPORT RE:

**Approval of Proposed Consent Decree
Resolving Injunctive Relief Issues in Litigation
Challenging Police Discipline Policies**

[CF 96-207, transmitted separately]

Honorable City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, California 90012

Honorable Members:

For more than two years, the parties to a purported class action—*Tipton-Whittingham v. City of Los Angeles*, USDC No. CV 3240-WDK—have been meeting in an effort to resolve a portion of the issues which divide them. The litigation arises out of claims that various Police Department personnel policies—notably those which control the intake, investigation, and adjudication of race- and sex-conscious discrimination complaints—operate to retaliate against complainants.

The parties have concluded a proposed Consent Decree which addresses the injunctive relief aspects of the dispute. The damages aspects of the case remain for further litigation.

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This office recommends that the Council grant the City Attorney authority to present the proposed Consent Decree to the District Court for final approval. The text of the proposed Consent Decree will be transmitted to the Council separately and confidentially, and may be released publicly if the Council should approve the settlement.

The Council may discuss the above issues in a closed session, pursuant to California Government Code § 54956.9(a).

Very truly yours,

JAMES K. HAHN, City Attorney

By

ROBERT CRAMER
Assistant City Attorney

/RC

cc: Honorable Richard J. Riordan
Mayor

Honorable Board of Police Commissioners

Honorable Board of Civil Service Commissioners

Willie L. Williams
Chief of Police

Jerutha Brown
General Manager, Personnel Department

Keith Comrie
City Administrative Officer