

**MOTION**

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Jessy Hernandez, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. 19STCV10627. (This matter arises from an incident involving the Los Angeles Bureau of Sanitation that occurred on April 1, 2018 at 5201 West Zoo Drive, Los Angeles, California.) **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney's Office to expend up to \$6,500,000 in settlement of the above-entitled matter, subject to reimbursement from the Sewer Construction and Maintenance Fund.
2. AUTHORIZE the City Attorney to draw two demands from the Liability Claims Fund No. 100/59, Account No. 009794, Public Works, Sanitation Liability Payouts, as follows:
  - a. Sottile Baltaxe and Jessy Hernandez, by and through his Guardian Ad Litem, Steve Wolfson in the amount of \$4,000,000 to be paid this fiscal year 2022-23 payable by not later than June 30, 2023.
  - b. Sottile Baltaxe and Jessy Hernandez, by and through his Guardian Ad Litem, Steve Wolfson in the amount of \$2,500,000 to be paid next fiscal year 2023-24 payable by not later than July 31, 2023.
3. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

This matter was recommended for approval by the Budget, Finance and Innovation Committee (Blumenfield – Yaroslavsky – McOsker: "Yes") at its meeting held on June 26, 2023, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY \_\_\_\_\_

BOB BLUMENFIELD  
Councilmember, 3rd District

SECONDED BY \_\_\_\_\_

KATY YAROSLAVSKY  
Councilmember, 5th District

AS 6/26/23  
CF 23-0520