

# ITEM NO. 35

1/15/19 Council – Regular Meeting Agenda  
Closed Session

## MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Alexandra Lavinsky v. City of Los Angeles, Los Angeles Superior Court Case No. BC542245 (this matter the Plaintiff seeks a refund of utility taxes paid by the Plaintiff class.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the Office of Finance to notify the Southern California Gas Co. and other utilities that the Gas User Tax no longer applies to the Public Purpose Surcharge and the State Regulatory Fee after the court approves the long form agreement for this tentative settlement.
2. APPROVE the creation of a Cy Pres fund of up to \$650,000, to be funded by an appropriation from the General Fund when the settlement is finalized.
3. APPROVE the designation of the Alliance of Children’s Rights as the Cy Pres recipient.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Koretz – Bonin – Blumenfield: “Yes”) at its meeting on January 14, 2019, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY \_\_\_\_\_  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
PAUL KORETZ  
Councilmember, 5th District

AC  
CF No. 17-0510  
January 14, 2019

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