

ITEM NO. 59

12/11/19 Council – Regular Meeting Agenda
Closed Session

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Todd Hawkins, et al. v. City of Los Angeles, Court of Appeal, State of California Second Appellate District Case Nos. B279719, B282416, Los Angeles Superior Court Case Nos. BC541066, BC543766 (this matter involves the City's appeal of a judgment entered after a jury verdict in favor of Plaintiffs Todd Hawkins and Hyung Kim on August 12, 2016), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$1,515,401.10**, plus applicable interest, in settlement of the above-entitled matter.
2. AUTHORIZE the Department of Transportation to pay \$177,162, for the past and future economic losses as set on the Court's judgment from Fund No. 100/94, Account No. 001010.
3. AUTHORIZE the Controller to transfer funds from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts, as follows:
 - a. \$1,358,239.10, plus applicable interest for non-economic damages, attorney's fees, costs and Private Attorney General Act (PAGA) penalties.
 - b. The interest applicable to \$177,162 for the past and future economic losses.
4. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009797, Transportation Liability Payouts as follows:
 - a. \$1,343,239.10, plus applicable interest, made payable to The Myers Law Group, PC Trust Account, Todd Hawkins, and Hyung Kim for non-economic losses, attorney's fees, costs and PAGA penalties.
 - b. \$15,000 made payable to the California Department of Industrial Relations.
 - c. The interest applicable to \$177,162, for the past and future economic losses, made payable to The Myers Law Group, PC Trust Account, Todd Hawkins and Hyung Kim.
5. 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 and Finance Committee (Krekorian – Price – Koretz – Blumenfield - Bonin: “Yes”) at its meeting on December 9, 2019, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
CURREN D. PRICE, JR
Councilmember, 9th District

MM 12/09/19
CF 19-1402_mot_12-11-19