

**MOTION**

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Chester Simoni, et al. v. City of Los Angeles, Los Angeles Superior Court Case No. 21STCV18051. (This case involves an alleged slope failure at the Plaintiffs' residential property located at 7965 Fareholm Drive.), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE the proposed settlement of the above-entitled matter for up to **\$1,490,000**.
2. AUTHORIZE the City Attorney, or designee, to execute the settlement agreement for the above-entitled matter.
3. AUTHORIZE the City Attorney's Office to expend up to **\$1,490,000 in Fiscal Year 2024-25** in settlement of the above-entitled matter.
4. AUTHORIZE the Controller to transfer **\$1,490,000 in Fiscal Year 2024-25** from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009793, Public Works Engineering Liability Payouts.
5. AUTHORIZE the City Attorney to draw a demand from Fund No. 100/59, Account No. 009793, Public Works Engineering Liability Payouts, as follows: Law Offices of Timothy R. Lee Attorney Client Trust Account in the amount of **\$1,490,000**.
6. AUTHORIZE the City Attorney, or designee, to execute any additional or revised documents necessary to carry out the settlement in substantial conformance with the above terms.
7. 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 – McOsker – Rodriguez – Yaroslavsky: "Yes") at its meeting held on June 26, 2024, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY \_\_\_\_\_  
BOB BLUMENFIELD

Councilmember, 3rd District

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

TIM McOSKER

Councilmember, 15th District

LV 7.31.24  
CF 24-0407