



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R24-0160
Apr. 5, 2024

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(d)(1), (d)(2), AND (e)(1)**

REPORT RE:

**PROPOSED AMENDMENT OF CONTRACT FOR LEGAL SERVICES WITH
BEVERIDGE & DIAMOND RELATED TO THE JULY 11, 2021, FLOODING INCIDENT
AT THE HYPERION WATER RECLAMATION PLANT**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

Pursuant to California Government Code Section 54956.9(d)(1), (d)(2), and (e)(1), this Office wishes to meet in closed session to discuss the need for additional funding for one of its outside counsel contracts. Government Code Section 54956.9 requires the issuance of a public statement that includes the section subdivision that authorizes the closed meeting, and that the closed session is being held to confer or discuss with, or receive advice from, legal counsel regarding exposure to litigation. This request for closed session relates to the outside counsel's representation of the City in civil and administrative matters that pertain to the July 11, 2021 flooding incident at Hyperion, including pending personal injury litigation (*Mecklenburg v. Hyperion Water Reclamation Plant*, LASC Case No. 21STCV28114), mass tort litigation (*Abdelnur v. City of Los Angeles*, LASC Case No. 22STCV00153 and *Konig v. City of Los Angeles*, LASC Case No. 22STCV00970), insurance subrogation litigation (*Ace American Insurance Co. v. City of Los Angeles*, LASC Case No. 22STCV18654), and, based on existing facts and circumstances, a separate matter involving the significant exposure to litigation.

This office puts forth the following recommendations for the City Council's consideration:

1. Approve an amendment to Contract No. C-140018 with Beveridge & Diamond that increases the contract ceiling by \$200,000, for a total contract amount of \$2.5 million.
2. Authorize the City Attorney or designee to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the Chief Administrative Officer, and authorize the Controller to implement the instructions.

The Bureau of Sanitation (LASAN) will pay for this amended contract from LASAN special funds, and LASAN supports this recommendation. Therefore, we ask that the matter be placed on the closed session agendas of the Budget and Finance Committee and City Council as soon as practicable.

If you have any questions regarding this matter, please contact Deputy City Attorney Virginia M. Choi at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



ANNE HALEY
Assistant City Attorney

AH:VC:ac