



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. **R21-0347**
NOVEMBER 18, 2021

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(d)(1)**

REPORT RE:

**REQUEST FOR APPROPRIATIONS AND TERM EXTENSIONS
FOR OUTSIDE COUNSEL**

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

Honorable Members:

Pursuant to California Government Code Section 545956.9(d)(1), the City Attorney's Office wishes to meet in closed session to discuss the need for the assistance of outside counsel in the case of *Department of Toxic Substances Control v. NL Industries*, Central District Case No. 2:20-CV-11293-SVW-AGR and puts forth the following Recommendations for the City Council's consideration:

1) Authorize the City Attorney to enter into a five-year contract with Best Best & Krieger, LLP, with a total budget of \$700,000, to defend and represent the City, jointly with Los Angeles County, Los Angeles County Development Authority, and Housing Authority of the City of Los Angeles in the case of *Department of Toxic Substances Control v. NL Industries*, Central District Case No. 2:20-CV-11293-SVW-AGR;

2) Transfer \$150,000 from the Unappropriated Balance, Outside Counsel Including Workers Compensation line item to the City Attorney, Fund 100, Department No. 12, Account No. 009301 as an initial funding amount for this contract;

3) Authorize the City Attorney to enter into a waiver of conflict of interest, as outlined above, necessary to allow BBK to jointly represent the City and other municipal entity parties to the Action.

If you have any questions regarding this matter, please contact Deputy City Attorney Robert Mahlowitz at (213) 978-8100. He, or another member of this Office, will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
ANNE HALEY
Assistant City Attorney