



MICHAEL N. FEUER
City Attorney

REPORT NO. R22-0406
NOV 10, 2022,

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

REPORT RE:

SETTLEMENT DISCUSSION

ADAM HOFFMAN, ET AL. v. CITY OF LOS ANGELES
LASC CASE NO. BC 672326

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

Honorable Members:

This Office recommends that discussions with, and advice from, legal counsel about the recommendation for City Council action regarding settlement in this pending litigation be scheduled and held in closed session pursuant to California Government Code Section 54956.9(d)(1). Government Code Section 54956.9(g) requires you to state publicly prior to the closed session what subdivision of section 54956.9(d) authorizes the closed meeting, and that the closed session is being held to confer or discuss with, or receive advice from, legal counsel regarding pending litigation. We ask that the matter be placed on the closed session agendas of the Claims Board, Budget and Finance Committee and City Council as soon as practicable.

This case concerns allegations the City overinflated the annual Dry Winter Compensation Factor that is applied to the City's residential sewer service charges, and the City failed to comply with Proposition 218/ California Constitution Article 13 D, § 6.

Should you have any questions regarding this matter, please contact Deputy City Attorneys Arlene Hoang at (213) 978-7508 or Jeffrey Goss at (213) 978-7564, or Assistant City Attorney Gabriel Dermer at (213) 978-7558. They or other members 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:
SCOTT MARCUS
Chief Assistant City Attorney

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cc: Executive Director, Board of Public Works
Aura Garcia, President, Board of Public Works Commissioners
Barbara Romero, Director and General Manager, Bureau of Sanitation