



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 4 1 1

NOV 0 6 2014

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTIONS 54956.9(d)(2) & (e)(3)**

REPORT RE:

**SIGNIFICANT EXPOSURE TO THREATENED LITIGATION REGARDING
ASSERTION OF JURISDICTION OF BOARD OF PUBLIC WORKS ACTION
APPROVING B PERMIT FOR BULWER DRIVE IMPROVEMENT**

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

Honorable Members:

This Office recommends that discussion with, and advice from, legal counsel with respect to significant exposure to litigation be scheduled and held in closed session pursuant to California Government Code Sections 54956.9(d)(2) and (e)(3).

Government Code Section 54956.9 requires you to state publicly, prior to the closed session, what division of this section 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.

This matter involves a written threat of litigation dated October 21, 2014, which served as a demand to cure or correct a September 23, 2014, City Council action (Council File No. 14-1297) in which the Council utilized an urgency motion in order to assert jurisdiction over and veto a September 15, 2014, Board of Public Works (Board)

action. A claim was presented on October 21, 2014, pursuant to Government Code Section 945.4, *et seq.*

If you have any questions regarding this matter, please contact Deputy City Attorney Dion O'Connell at (213) 978-7148. 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



DAVID MICHAELSON
Chief Assistant City Attorney

DM:DO:as