



Agenda Item

Orange City Council

Item #: 3.5.

2/10/2026

File #: 26-0045

TO: Honorable Mayor and Members of the City Council

THRU: Jarad Hildenbrand, City Manager

FROM: Nathalie Adourian, City Attorney

1. SUBJECT

Attorney Services Agreement with Bordin Semmer, LLP to provide legal services relating to litigation defense in the matter of *Ayoleone Amani Bufkin, et al. v. Vista Del Rio Housing Partners LP, et al.*

2. SUMMARY

The agreement with Bordin Semmer, LLP for an amount not to exceed \$350,000 is for legal services for the City's defense in the matter of *Ayoleone Amani Bufkin, et al. v. Vista Del Rio Housing Partners LP, et al.*

The City has self-insured retention in the amount of \$350,000, including costs, attorney fees, and damages associated with the litigation. After this amount is expended, the City's insurance with the California Insurance Pool Authority will reimburse the City for any additional costs and expenses, including any damages after the case has been concluded.

3. RECOMMENDED ACTION

Approve the Attorney Services Agreement with Bordin Semmer, LLP in the amount of \$350,000; and authorize the Mayor and City Clerk to execute on behalf of the City.

4. FISCAL IMPACT

The expense for this agreement is \$350,000 and will be funded through:
731-1301-55102 Legal Services.

This money has already been budgeted for in the City Attorney's budget and will not constitute any new money costs for the City.

5. STRATEGIC PLAN GOALS

Goal 2: Enhance Economic Development and Achieve Fiscal Sustainability.

6. DISCUSSION AND BACKGROUND

Plaintiffs Ayoleone Amani Bufkin and Leslie Howard allege that on May 1, 2023, Defendant Irvin Garcia was operating a vehicle driving southbound on the City Drive South, entered the parking lot of the Vista Del Rio Apartment complex at a high rate of speed and collided head-on into an unprotected ground floor apartment causing injuries to both Plaintiffs. In their complaint, Plaintiffs allege a dangerous condition of public property. Plaintiffs claim there was inadequate speed limit reduction signage and/or other warning signage on the roadway at the entrance to the subject

property as well as concerns about the traffic signal at the intersection and roadway markings. Plaintiffs allege they both suffered significant injuries, loss of income, and emotional damage. Plaintiff Leslie Howard had multiple lacerations and abrasions and is seeking \$25,275,000 in damages. Plaintiff Bufkin fractured her arm, shoulder pelvis, shattered her hip, had a massive leg/foot injury resulting in amputation, and bladder/kidney damage. She was hospitalized for over 4 months and underwent 15 surgeries and is seeking \$76,000,000 in damages. Both Plaintiffs are represented by The Homampour Law Firm.

Defendants and Cross-Complainants Vista Del Rio Housing Partners and A Community of Friends filed a cross-complaint against the City of Orange and City of Santa Ana.

While the City Attorney's Office handles most litigation matters in-house, the City does contract with outside counsel when the complexity of a case or a significant burden to staff time requires additional staffing expertise. Due to the extensive nature of damages claimed in this case, the City contracted the defense to Bordin Semmer, LLP.

The Attorney Services Agreement is necessary to carry out the defense of the City in this case.

7. ATTACHMENTS

- Attorney Services Agreement with Bordin Semmer, LLP