

MICHAEL N. FEUER
City Attorney

REPORT NO. R 1 5 - 0 2 2 4

AUG 2 8 2015

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

REPORT RE:

PENDING LITIGATION

CHAPMAN v. CITY OF LOS ANGELES, ET AL.
LASC CASE NO. BS153395

ECK v. CITY OF LOS ANGELES
LASC CASE NO. BC577028

EISAN v. CITY OF LOS ANGELES
LASC CASE NO. BC583788

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

Honorable Members:

This Office recommends that discussions with, and advice from, legal counsel regarding 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(d)(1) requires you to state publicly, prior to the closed session, what subdivision of that 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 against the City.

The pending litigation consists of three cases, which have been related and consolidated, alleging that Proposition 26, codified at Article XIII C, Section 1(e) of the California


The Honorable City Council
of the City of Los Angeles
Page 2

Constitution, forbids the Department of Water and Power's annual transfer of money from the Power Revenue Fund to (ultimately) the City's General Fund.

If you have any questions regarding this matter, please contact Deputy City Attorney Benjamin Chapman at (213) 473-6858. 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  BY BEN CHAPMAN
THOMAS H. PETERS
Chief Assistant City Attorney

THP/BC:lh