



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 5 - 0 1 7 6
JUN 2 5 2015

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

REPORT RE:

SETTLEMENT DISCUSSION

CHEYENNE DESERTRAIN v. CITY OF LOS ANGELES, et al.
UNITED STATES DISTRICT COURT CASE NO. CV10-09053-RGK
NINTH CIRCUIT CASE NO. 11-56957

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

(Re: Claim No. C11-1988)

Honorable Members:

This office recommends that a closed session hearing be scheduled to allow for discussions with, and advice from, legal counsel regarding our office's recommendations for City Council action in this pending litigation, pursuant to Government Code section 54956.9(d)(1).

Government Code section 54956.9(d)(1) requires you to state publicly, prior to closed session, what subdivision 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.

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This matter arose from litigation challenging the constitutionality of Los Angeles Municipal Code section 85.02, which prohibits individuals from using a vehicle as living quarters. On June 19, 2014, the Ninth Circuit declared that Ordinance to be unconstitutionally vague and it is no longer being enforced.

Should you have any questions regarding this matter, please contact Deputy City Attorney Blithe Bock at (213) 978-6936. She or a 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



THOMAS H. PETERS
Chief Assistant City Attorney

THP:BSB:ae

cc: Executive Director, Board of Police Commissioners
President, Board of Police Commissioners
Charlie Beck, Chief of Police
Office of Constitutional Policing and Policy
Captain and Lieutenant, Legal Affairs Division