

# Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 11-193

Agenda No. 10.A

Approved: APR 11 2011



TITLE: **RESOLUTION AUTHORIZING A CLOSED CAUCUS OF THE MUNICIPAL COUNCIL ON WEDNESDAY, APRIL 13, 2011 TO DISCUSS PENDING LITIGATION AND MATTERS WITHIN THE ATTORNEY CLIENT PRIVILEGE (SIXTH STREET EMBANKMENT)**

Council as a whole, offered and moved adoption of the following:

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:5-1 et seq. (Act), authorizes a governmental body to hold a closed session to discuss matters within the attorney client privilege; and

**WHEREAS**, the Act requires that a closed session shall be authorized by resolution, which shall indicate when the minutes of the closed session shall be released to the public; and

**WHEREAS**, the Municipal Council wishes to discuss matters within the attorney-client privilege, including, but not limited to the Sixth Street Embankment Litigation filed by certain LLCs known as 212 Marin Boulevard, 247 Manila Avenue, 317 Jersey Avenue, 354 Cole Street, 389 Monmouth Street, 415 Brunswick Street and 446 Newark Avenue, litigation in New Jersey and litigation filed on behalf of the City of Jersey City before the federal Surface Transportation Board; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Jersey City that:

1. A closed caucus of the Council will be held on Wednesday, April 13, 2011 at 5:00 p.m. to discuss matters within the attorney-client privilege. The meeting will take place in the Efrain Rosario Memorial Council Caucus Room, second Floor, City Hall.
2. That the minutes of this closed caucus be released to the public when the Corporation Counsel deems that the legal interests of the City of Jersey City will not be impaired by such release.

APPROVED: \_\_\_\_\_

APPROVED AS TO LEGAL FORM

APPROVED: *[Signature]*  
Business Administrator

*[Signature]*  
Corporation Counsel

Certification Required

Not Required

APPROVED 7-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE											
				4/11/11 Spc. Mtg.							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			AHMAD	✓		
DONNELLY	✓			FULOP	ABSENT			VELAZQUEZ	ABSENT		
LOPEZ	✓			RICHARDSON	✓			BRENNAN, PRES	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

*[Signature]*  
Peter M. Brennan, President of Council

*[Signature]*  
Robert Byrne, City Clerk