



City of Arts & Innovation

City Council Memorandum

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TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MARCH 25, 2025

FROM: CITY ATTORNEY'S OFFICE WARD(S): ALL

SUBJECT: WAIVER OF ATTORNEY-CLIENT PRIVILEGE TO DISCUSS SECOND LEGAL OPINION REGARDING ADOPTION OF A RESOLUTION REAFFIRMING THE POLICY EXCEPTING CERTAIN TYPES OF PROJECTS FROM SECTION 1109 OF THE RIVERSIDE CITY CHARTER AS AUTHORIZED BY RESOLUTION NO. 24224

ISSUE:

Consider waiver of attorney-client privilege for discussion of second legal opinion from outside counsel regarding the adoption of a resolution reaffirming the policy excepting certain types of projects from Section 1109 of the Riverside City Charter as authorized by Resolution No. 24224.

RECOMMENDATION:

That the City Council:

1. By motion, waive attorney-client privilege regarding the second legal opinion provided by outside counsel firm Redwood Public Law LLP, regarding the adoption of a resolution reaffirming the policy excepting certain types of projects from Section 1109 of the Riverside City Charter as authorized by Resolution No. 24224

BACKGROUND:

On February 25, 2025, the City Council received a report on a resolution reaffirming the policy for the construction, replacement, development, extension and relocation of Electric and Water Utility Infrastructure. Following discussion, it was moved by Councilmember Hemenway and seconded by Councilmember Robillard to adopt a resolution, reaffirming the policy excepting certain types of projects from Section 1109 of the Riverside City Charter and repealing Resolution No. 15507 and **seek outside counsel opinion of the policy**. The motion carried unanimously.

DISCUSSION:

The purpose of this report is to provide the City Council with a legal opinion from outside counsel, as requested during the February 25th City Council meeting. If the motion to waive attorney-client privilege is approved, the legal opinion from outside counsel will be discussed.

STRATEGIC PLAN ALIGNMENT:

This item contributes to Strategic Priority No. 6 Infrastructure, Mobility and Connectivity and Goal No. 6.2 – Maintain, protect, and improve assets and infrastructure within the City’s built environment to ensure and enhance reliability, resiliency, sustainability, and facilitate connectivity.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Internal staff are well-trained in customer service, fostering trust and positive relationships within the community.
2. **Equity** – RPU strives to deliver safe, reliable water and electricity to all customers. Since its water and electrical systems are each interconnected networks, investments in any part of each system enhance the reliability of the whole, ensuring equitable benefits for all customers.
3. **Fiscal Responsibility** – RPU carefully manages public funds, using efficient practices to complete projects while maintaining high-quality public services.
4. **Innovation** – Utilizing internal crews fosters innovative approaches that improve system reliability, ensuring dependable water and electric services into the future.
5. **Sustainability & Resiliency** – Developing in-house expertise ensures a sustainable workforce and strengthens emergency preparedness, providing greater resilience when external contractors are in short supply.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

Prepared by: Jack Liu, Interim City Attorney

Attachments:

1. Resolution No. 24224