

**MEMORANDUM FROM THE CITY ATTORNEY CONCERNING A CLOSED SESSION  
BEFORE THE BOARD OF PUBLIC UTILITIES OF THE CITY OF RIVERSIDE**

TO: Honorable Chairperson and Board Members

FROM: Gary G. Geuss, City Attorney

SUBJECT: Closed Session - Anticipated Litigation *[Government Code §54956.9(d)(4)]*

[1] Case(s) Anticipated

A closed session will be held on September 25, 2017, for the purpose of conferring with and/or receiving advice from your legal counsel concerning anticipated litigation. Based upon existing facts and circumstances and the advice of its legal counsel, the Board of Public Utilities is meeting only to decide whether to initiate litigation. *[Gov't. Code §54956.9(d)(4)]*

If the Board authorizes the City Attorney to defend, or seek or refrain from seeking appellate review or relief, this determination shall be reported in open session at the public meeting during which the closed session is held. If the Board authorizes initiation or intervention, such authorization shall also be reported and the public advised that the action, defendants and other particulars will be disclosed upon request after the action is formally commenced. *[Gov't. Code §54957.1(a)(2)]*

If the Board accepts a settlement offer signed by the opposing party, the substance of the settlement and its acceptance shall be reported at the public meeting during which the closed session is held. *[Gov't. Code §54957.1(a)(3)(A)]*

Any disclosures shall include the vote or abstention of each member.

Dated: September 6, 2017

Prepared By: Gary G. Geuss  
City Attorney