MEMORANDUM FROM THE CITY ATTORNEY CONCERNING A CLOSED SESSION BEFORE THE CITY COUNCIL OF THE CITY OF RIVERSIDE

TO: Honorable Mayor and Members of the City Council

FROM: Kristi J. Smith, Interim City Attorney

SUBJECT: Closed Session - Anticipated Litigation *[Government Code §54956.9(b)(3)(c)]*

Name of Claimant(s): *Richard Moslenko v City of Riverside*
Claim No.: 21-01-17

A closed session will be held on February 16, 2021, for the purpose of conferring with and/or receiving advice from your legal counsel concerning anticipated litigation. Based upon the receipt of a claim pursuant to the Tort Claims Act and the advice of its legal counsel, the City Council believes there is significant exposure to litigation. *[Government Code §54956.9(b)(1)]*

If the City Council 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 City Council authorizes initiation or intervention, such authorization shall also be reported and the public advised that the action, defendants and other particulars may be disclosed upon request after the action is formally commenced. *[Government Code §54957.1(a)(2)]*

If the City Council accepts a settlement offer signed by the opposing party, the substance of the settlement shall be reported at the public meeting during which the closed session is held. *[Government Code* §54957.1(a)(3)(A)*]*

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

Dated: January 31, 2021

Prepared by: Kristi J. Smith
Interim City Attorney