



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 20, 2024

FROM: CITY ATTORNEY'S OFFICE WARDS: ALL

SUBJECT: ADD REDWOOD PUBLIC LAW TO THE PANEL OF AUTHORIZED ATTORNEY'S FOR THE CITY. CONSIDER APPROVAL OF AND AUTHORIZE A THREE-YEAR LEGAL SERVICES AGREEMENT WITH THE LAW FIRM OF REDWOOD PUBLIC LAW, AUTHORIZE THE CITY ATTORNEY TO EXECUTE THE LEGAL SERVICES AGREEMENT AND ENGAGEMENT LETTER FOR REDWOOD PUBLIC LAW SPECIALIZED LEGAL SERVICES, AND ESTABLISH A BUDGET OF \$250,000 FOR REDWOOD PUBLIC LAW TO WORK ON PUBLIC/PRIVATE PARTNERSHIP PROJECTS - SUPPLEMENTAL APPROPRIATION

ISSUE:

Add Redwood Public Law to the panel of authorized attorneys for the City. Consider approval of a three-year legal services agreement with the law firm of Redwood Public Law. Establish a budget of \$250,000 for Redwood Public Law's work on public/private partnership projects.

RECOMMENDATIONS:

That the City Council:

1. Add Redwood Public Law to the panel of approved attorneys for the City, approve a three-year legal services agreement with the law firm of Redwood Public Law and authorize the City Attorney or designee to execute the legal services agreement and engagement letter for Redwood Public Law for specialized legal services; and
2. With at least five affirmative votes, authorize the Chief Financial officer, or designee, to record a supplemental appropriation in the amount of \$250,000 in the General Fund, City Attorney's Office Legal Services account, fully offset by ARPA interest revenue.

BACKGROUND:

City Charter section 702, "Eligibility, powers and duties of City Attorney," provides, in part, that "the City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein."

DISCUSSION:

Public/private partnerships are contractual agreements between a public agency and a private entity that allow for greater private participation in the delivery of projects. These partnerships typically involve collaboration on infrastructure or public service projects, such as building, renovating, operating, or maintaining facilities or systems. The private partner often invests its own capital, and both parties share in the risks and rewards of the project. Public/private partnerships can be used at the federal, state, and local levels for various types of projects, including transportation, utilities, and more. Public/private partnerships can be a component of major land development projects.

The City Attorney's Office, with the concurrence of the City Manager's Office, would like to add Redwood Public Law to the panel of attorneys for the City and engage Steve Mattas of the law firm of Redwood Public Law to provide specialized legal assistance on public/private partnerships issues, and seeks City Council approval for a three-year Legal Services agreement with this law firm.

The engagement would be limited to legal advice for public/private partnerships. Here are some representative projects that Mr. Mattas has worked on:

- DisneylandForward project for Anaheim, a forty-year plan for development of the Disney properties in Anaheim
- ocV!BE Project: Assisted the City of Anaheim with negotiations and preparations of development agreement and revised facility management agreements for the ocV!BE Mixed Use Entertainment and Commercial District and the Honda Center and the Anaheim Regional Transportation Intermodal Center ("ARTIC").
- Oyster Point project in South San Francisco which included a biotech and technology office/research and development campus, a hotel, a new public park area and significant public infrastructure improvements.

Mr. Mattas has extensive experience representing public agencies in negotiating and preparing development agreements, facility management agreements and public property leases.

STRATEGIC PLAN ALIGNMENT: The retention of experienced outside counsel to provide legal advice and supports all priorities of the City of Riverside's Envision Riverside 2025 Strategic Plan, as such advice is provided to all departments of the City, the City Council, Boards and Commissions.

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

1. **Community Trust** – Riverside is transparent and makes decisions based on sound policy, inclusive community engagement, involvement of City Boards & Commissions, and timely and reliable information. Use of outside counsel that specializes in specific areas of the law supports and aids the making of such decisions.

2. **Equity** – Use of outside counsel that specialize in specific areas of the law benefits the entire community by ensuring that such efforts comply with all aspects of the law.
3. **Fiscal Responsibility** – The City Attorney’s Office is expending funds in a careful and judicious manner balanced against the need for specialized legal counsel when the circumstances warrant.
4. **Innovation** – The retention of specialized legal counsel to provide specialized legal advice supports City innovation efforts by ensuring that such efforts comply with all aspects of the law.
5. **Sustainability & Resiliency** – The retention of specialized legal counsel to provide specialized legal advice supports City goals of sustainability and resiliency by ensuring that such efforts comply with all aspects of the law.

FISCAL IMPACT:

The total fiscal impact of this action is \$250,000, recommended to be funded by ARPA interest earnings, which are unrestricted in their use. With Council approval, a supplemental appropriation of \$250,000 will be recorded in the General Fund, City Attorney Outside Legal Services account number 1300000-421100.

Public/private partnership initiatives are a strategic investment that aligns with the City’s long-term economic growth objectives. By securing expert legal guidance, the City will effectively manage risks, optimize project outcomes, and ultimately drive long-term economic growth and development within the City.

Prepared by: Phaedra Norton, City Attorney
Certified as to
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer