

ORDINANCE NO. 2502

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTER 2.15
OF THE REDLANDS MUNICIPAL CODE RELATING TO THE APPROVAL
AND EXECUTION OF CITY DOCUMENTS

WHEREAS, during the ordinary course of managing the legal affairs of the City, the City Attorney's office finds it necessary to retain special counsel, expert witnesses and consultants, and other persons having specialized knowledge in connection with the prosecution and defense of litigation involving the City; and

WHEREAS, the City and its citizens benefit from ensuring that the highest quality legal services are provided through the City Attorney's office in a cost effective and timely manner; and

WHEREAS, for reasons relating to preservation of the attorney-client privilege, work product privilege and confidentiality, it is in the City's best interest not to apprise persons adverse to the City of the City's litigation strategy; and

WHEREAS, it has been the custom and practice of the City Attorney's office to regularly retain such special counsel, expert witnesses and consultants, and other persons with specialized knowledge in the ordinary course of the City Attorney's business, and it is now the City Council's desire to reaffirm and formalize that practice; and

WHEREAS, on September 7, 1993, this City Council adopted a policy permitting the City Manager to enter into and execute waivers of liability and hold harmless agreements, subject to review by the City Attorney, while conducting the operations of the City; and

WHEREAS, it is the further desire of the City Council to formalize the City Manager's authority in the Redlands Municipal Code;

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

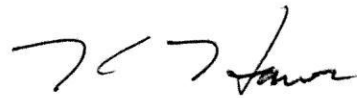
Section 1. Section 2.15.020 is hereby added to the Redlands Municipal Code to read as follows:

"2.15.020 City Attorney Support Services. The City Attorney, with the consent of the City Manager, may enter into professional services contracts for the retention of special legal counsel to the City, consultants having expertise in the subject matter of the litigation, expert witnesses, appraisers and other persons with specialized knowledge without the prior approval of the City Council. Such contracts shall be executed by the Mayor, the Mayor Pro Tem, or any member of the City Council in such order of availability as provided for in Section 2.15.010 of this Code. To the extent the contracts are public records under the California Public Records Act contained in Government Code sections 6250 et. seq., such contracts shall be filed with and maintained in the Office of the City Clerk."

Section 2. Section 2.15.030 is hereby added to the Redlands Municipal Code to read as follows:

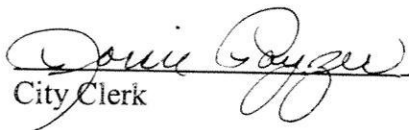
"2.15.030 Liability Waiver and Hold Harmless Agreement. To facilitate the daily operations of the City, the City Manager is hereby authorized to execute, and enter into in behalf of the City, waivers of liability and "hold harmless" agreements without the prior approval of the City Council. Such agreements shall be subject to the review and approval of the City Attorney prior to their execution by the City Manager."

Section 3. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter this ordinance shall take effect in accordance with law.



Mayor of the City of Redlands

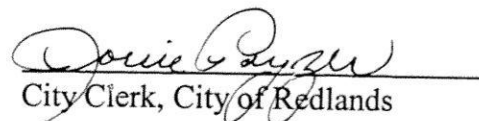
ATTEST:



City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 6th day of August 2002, by the following vote:

AYES: Councilmembers Peppler, Gilbreath, George, Harrison; Mayor Haws
NOES: None
ABSTAIN: None
ABSENT: None



City Clerk, City of Redlands