

PUBLIC LAW IS THE FOCUS OF OUR PRACTICE, AND HAS BEEN THE CORE OF OUR FIRM SINCE IT WAS FOUNDED IN 1986.



RICHARD D. PIO RODA

Chair, Municipal & Special District Law Practice Group

Richard D. Pio Roda is a skilled and experienced strategic advisor and transactional attorney specializing in the areas of municipal and special district law, general outside corporate counsel, technology transactions, land use, real estate, education law and contracts and procurement for government agencies and corporate, non-profit, and healthcare entities throughout California.

Richard is the City Attorney for the City of San Leandro, Interim Assistant City Attorney for the City of Newark and serves as General Counsel to special districts and public agencies throughout California.

For more than 30 years, Meyers Nave has practiced public law in California, combining in one firm many disciplines that other firms consider specialties. As a result, our institutional knowledge of the law and California community policies gives clients an assurance of reliable, top-notch service. In the roles of city attorney and general/special counsel, we provide both day-to-day legal advice and representation in complex transactions and litigation.

Meyers Nave serves as city attorney to municipalities of all sizes and as general counsel to counties and special districts of all types throughout California. Many of these relationships have spanned decades—a fact that testifies to the quality of our work and our commitment to clients. Our attorneys:

- Advise staff and elected/appointed officials on legal issues, including those that regulate public meetings;
- Advise on incorporations, annexations and changes of organization;
- Prepare updates and amendments to general and specific plans and advise on the California Environmental Quality Act (CEQA), the Clean Water Act and other environmental issues;
- Attend council, commission and board meetings;
- Prepare resolutions and ordinances;
- Represent clients in cost recovery, code enforcement and litigation;
- Advise on finance, tax and fee issues; and
- Advise on successor agency and oversight board issues.

Some of the key legal issues we advise on are summarized below.

RALPH M. BROWN ACT

Clients often call upon us after hours and “on the fly” to provide immediate and urgent Brown Act direction. Along with our advisory role—reviewing agendas for Brown Act conformity, confirming items are permissible

topics of discussion in closed session, and advising elected officials on their obligations under the Brown Act—we litigate Brown Act claims and constantly monitor emerging issues that have Brown Act implications.

PUBLIC RECORDS

Our firm has a practice group dedicated to the California Public Records Act. Collectively, this team has handled thousands of Public Records Act requests for cities, counties, special districts, school districts, successor agencies, transit districts and joint powers authorities. Requests have spanned the gamut of public agency concerns, from multimillion-dollar construction projects to accessing employee records.

CONFLICTS OF INTEREST

Issues relating to conflicts of interest laws are among the matters we handle daily. We advise on the Political Reform Act, Government Code section 1090 (relating to financial interests in contracts), common law conflicts and other conflict laws.

ELECTIONS & VOTING

In election matters, our attorneys work hand-in-hand with staff, consultants, elected officials and policymakers to develop successful strategies and outcomes while ensuring compliance with applicable laws and protecting the integrity of the elections system. We have advised on the whole spectrum of issues that can crop up, from Voting Rights Act compliance to charter amendments to political infrastructure changes. Further, we have prepared hundreds of ballot measures and have litigated on them in both the defendant and plaintiff roles.

Municipal & Special District Law Services

- Open meetings
- Public records
- Elections
- Revenue and taxation
- Economic development
- Incorporation, annexations and changes of organization
- Adult use and First Amendment matters
- Code enforcement
- Conflicts of interest
- Property acquisition and disposition
- City prosecutor functions
- Land use, planning and zoning issues
- CEQA, NEPA, Clean Water Act, Endangered Species Act and other environmental laws
- Development agreements
- Public finance, assessment districts and community facilities districts
- Franchise agreements
- Referenda and initiatives
- Solid waste agreements
- Insurance/risk management
- Joint powers authorities and joint powers agreements
- Historic preservation
- Redevelopment successor agency and oversight board issues

SPECIAL DISTRICTS

Our attorneys help clients form and operate special districts that provide single and multiple services in areas such as fire protection, water, sewer, parks and recreation, health care, libraries, and security services. We serve as both general and special counsel.

ORDINANCES & RESOLUTIONS

The firm has prepared and reviewed thousands of ordinances, resolutions and other municipal documents. These documents have advanced and protected our clients' interests in a broad range of issues, including emerging issues such as medical marijuana and green building construction. We maintain an extensive library and knowledge management retrieval system to efficiently prepare future ordinances and resolutions.

CONTRACTS & FRANCHISES

We negotiate, draft and counsel on a broad range of agreements. We are well-versed in the California Public Contracts Code, the California Civil Code and other state laws relating to contracting. In addition, we have worked with business groups, including chambers of commerce, on projects of mutual interest as well as negotiated many agreements among public agencies for joint use and operation of facilities to best serve their communities.

CODE ENFORCEMENT

Numerous agencies have achieved code compliance with our legal guidance. We promote voluntary compliance using a host of administrative processes and, when necessary, formal civil and criminal enforcement actions. We have successfully prosecuted hundreds of cases and recovered enforcement costs and expenses on our clients' behalf.

FEES, ASSESSMENTS AND TAXES

As city attorneys, we are often faced with issues relating to methods of validly imposing fees and assessments. We stay abreast of developments in case law and initiatives,

whether on Proposition 218, Mello-Roos or other areas. We structure fees in a creative, legally defensible manner and defend clients in court from challenges to taxes and revenue sources, including those brought by counties with regard to property tax allocation.

JOINT POWERS AUTHORITIES

Meyers Nave attorneys work extensively with joint powers authorities (JPAs) statewide. Our team has prepared numerous joint powers agreements and created several joint powers agencies. We are familiar with the options available to public entities in forming and working with JPAs.

We have helped JPA clients accomplish everything from coordinating emergency communication systems to building critical transportation and utility-related infrastructure.

LAFCO & CHANGES OF ORGANIZATION

In at least half of the counties in this state, we have represented cities and special districts before local agency formation commissions (LAFCo). We have handled issues on reorganizations, incorporations, annexations, revenue sharing, dependent districts and related matters.

LAND USE

We guide clients through a complex range of local, state and federal regulatory requirements affecting the sale, acquisition, development, improvement and use of land, including general and specific plans and plan amendments, zoning ordinances, subdivisions, conditional use permits, variances and other specialized land use and entitlement matters, as well as CEQA/NEPA compliance.

We have worked on all types and sizes of land use projects, from the construction and revitalization of parks and recreation areas to a 3,828-acre master-planned community on a former mine tailings site and a three-story supportive housing project for homeless veterans with disabilities.