

1217
3/25/08 R.M.nty

(RA-2008-85)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04251

DATE OF FINAL PASSAGE APR 08 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO AUTHORIZING THE FIRST
AMENDMENT TO THE AGREEMENT WITH KANE,
BALLMER & BERKMAN FOR SPECIAL LEGAL COUNSEL.

WHEREAS, the Office of the City Attorney and the Redevelopment Agency of the City of San Diego [Agency] issued a Request for Qualifications [RFQ] for Special Legal Counsel Services for the Agency; and

WHEREAS, in March of 2007, the Agency and the law firm of Kane, Ballmer & Berkman entered into a three-year Agreement for the provision of special legal services to the Redevelopment Agency of the City of San Diego; and

WHEREAS, the Agency approved the Agreement between the Agency and the law firm of Kane, Ballmer & Berkman in an amount not to exceed One Million Eight Hundred Ninety Thousand Dollars (\$1,890,000), pursuant to Resolution Number R-04124 adopted on March 27, 2007; and

WHEREAS, the Agency wishes to provide additional funding for the continued special legal services provided by the law firm of Kane, Ballmer & Berkman for ongoing and future projects through March of 2010 to be apportioned consistent with the staff report accompanying this resolution; and

WHEREAS, Article I of the Agreement for Special Legal Services provides that legal services are rendered at the direction of the City Attorney on an "as-needed" basis; NOW

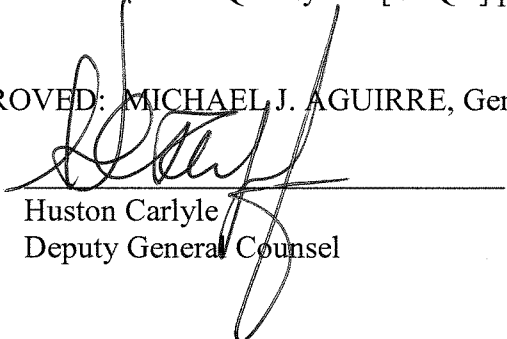
THEREFORE,

BE IT RESOLVED by the Redevelopment Agency of the City of San Diego as follows:

1. That the First Amendment to the Agreement with the law firm of Kane, Ballmer & Berkman is approved;
2. That this First Amendment allows for an increase of One Million, One Hundred Thousand and Forty Five Thousand Dollars (\$1,145,000) to the maximum expenditures for the services provided pursuant to the Agreement;
3. That the maximum cumulative expenditures pursuant to the Agreement may not exceed Three Million and Thirty Five Thousand Dollars (\$3,035,000) provided the City Auditor first furnishes a certificate that funds are, or will be, on deposit in the City Treasury;
4. That all other terms of the Agreement remain unchanged;
5. That the Executive Director of the Agency, or designee, is authorized and empowered to execute the First Amendment to the Agreement, for and on behalf of the Agency, and to administer the Agency's obligations, responsibilities, and duties to be performed under the agreement; D- 04251
6. That this activity is not a "project" and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, General Counsel

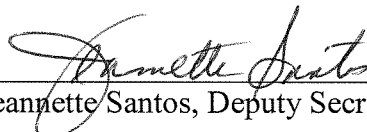
By


Huston Carlyle
Deputy General Counsel

HC:cfq
03/10/08
Or.Dept:R.A.
RA-2008-85
MMS#5981

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of MAR 25 2008.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 4-8-08
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2800604
DEPT. _____
NO.: 10275

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$635,000.00

Vendor: Kane, Ballmer & Berkman

Purpose: First Admendment to Agreement for legal services, specifically with California Redevelopment legal issues for CCDC and Redevelopment Agency of San Diego.

Date: March 7, 2008 By: Francisco J Lopez *[Signature]*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	4614	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
SEE ATTACHED										
TOTAL AMOUNT										

FUND OVERRIDE

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	4614	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	98860	97471	2001	4141	2001				\$25,000.00
02	0	98840	97461	2001	4141	2001				25,000.00
03	0	98820	97451	2001	4141	2001				25,000.00
04	0	98379	97570	2001	4141	2001				25,000.00
05	0	99077	97752	2001	4141	11201				50,000.00
06	0	98343	97437	2001	4141	8405				\$25,000.00
07	0	98881	88881	2001	4141	2001				\$25,000.00
08	0	98805	97481	2001	4141	2001				\$50,000.00
09	0	99048	990481	2001	4141	99048				\$50,000.00
10	0	98900	9892	2001	4141	2001				\$100,000.00
11	0	98200	9823	2001	4141	2001				\$60,000.00
12	0	98100	9814	2001	4141	2001				15,000.00
13	0	98250	982502	2001	4141	2001				20,000.00
14	0	98260	98260	2001	4141	2001				30,000.00
15	0	98050	9774	2001	4141	2001				25,000.00
16	0	98070	98074	2001	4141	2001				15,000.00
17	0	98300	98304	2001	4141	2001				30,000.00
18	0	98570	98570	2001	4141	2001				40,000.00
TOTAL AMOUNT										\$635,000.00

Passed by the Redevelopment Agency of The City of San Diego on MAR 25 2008, by the following vote:

Agency Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 08 2008

AUTHENTICATED BY:

JERRY SANDERS
Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
Secretary of The City of San Diego, California.

By , Deputy

Office of the Redevelopment Agency, San Diego, California.

Resolution Number R- 04251