



REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04603

DATE OF FINAL PASSAGE JAN 24 2011

A RESOLUTION OF THE REDEVELOPMENT AGENCY  
OF THE CITY OF SAN DIEGO AUTHORIZING THE  
FOURTH AMENDMENT TO THE AGREEMENT WITH  
THE LAW OFFICES OF DON DETISCH FOR LEGAL  
SERVICES.

WHEREAS, the San Diego City Attorney, serving as General Counsel to the Agency, has determined that additional legal expertise or personnel may be necessary for particular legal matters involving condemnation and acquisition of property; and

WHEREAS, in 2004, the Office of the City Attorney issued a Request for Qualifications (RFQ) for Special Legal Counsel Services for the Redevelopment Agency of the City of San Diego (Agency); and

WHEREAS, on May 16, 2005, the Agency and the Law Offices of Don Detisch (Special Counsel) entered into an agreement (Agreement) for legal services in the area of condemnation and acquisition of property for a period of three years with a maximum compensation of \$250,000; and

WHEREAS, on November 2, 2005, the Agency and Special Counsel entered into a First Amendment to the Agreement (First Amendment) to authorize Special Counsel to render legal services to the Agency in connection with the condemnation and acquisition of specific properties located within the Centre City Redevelopment Project Area and to increase the compensation payable to Special Counsel under the Agreement by \$100,000 for a maximum compensation of \$350,000; and

WHEREAS, on August 4, 2006, the Agency and Special Counsel entered into a Second Amendment to the Agreement (Second Amendment), which was incorrectly titled as a “First Amendment,” to authorize Special Counsel to render legal services to the Agency in connection with the condemnation and acquisition of specific properties located within the North Bay Redevelopment Project Area; and

WHEREAS, on September 14, 2009, the Agency and Special Counsel entered into a Third Amendment to the Agreement to retroactively extend the term of the Agreement for two years; to combine the Additional Scope of Services attached to the First Amendment and the Amended Scope of Services attached to the Second Amendment into one document titled, “Third Amended Scope of Services”; to increase the compensation payable to Special Counsel under the Agreement for legal services rendered in connection with the City Heights Redevelopment Project Area by \$100,000 for a maximum compensation of \$450,000; to increase Special Counsel’s Fee Schedule (Exhibit “A” to the Agreement) in accordance with current rates; and to update the notification addresses of the Agency and Special Counsel; and

WHEREAS, the Agency wishes to increase the compensation payable to Special Counsel under the Agreement by \$100,000 for a maximum compensation of \$550,000 and extend the term of the Agreement until December 31, 2011; NOW, THEREFORE,

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

1. That the Fourth Amendment to the Agreement with Special Counsel is approved.
2. That the total compensation under the Fourth Amendment to the Agreement is increased by \$100,000 for a total compensation not to exceed \$550,000, provided the City Comptroller first furnishes a certificate that funds are, or will be, on deposit in the City Treasury.

3. That the Executive Director of the Agency, or designee, is authorized and empowered to execute the Fourth 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.

APPROVED: JAN I. GOLDSMITH, General Counsel

By Charles E. Jagolinzer  
Charles E. Jagolinzer  
Deputy General Counsel

CEJ:nja  
11/22/10  
Cert.No: 3000003823  
Or.Dept:Redev.Agency  
RA-2011-54  
PL#2010-02837

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of JAN 11 2011.

REDEVELOPMENT AGENCY

By Jeanette Santos  
Jeanette Santos, Deputy Secretary

Approved: 1-24-11  
(date)

Jerry Sanders  
JERRY SANDERS, Executive Director

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Executive Director

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000003823

DEPT.

NO.

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: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original 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: \_\_\_\_\_ \$100,000.00

Vendor: Law Offices of Donald Detisch

Purpose: e1472 - Fourth Amendment to the Agreement with the Law Firm for Legal Counsel Services of Centre City Redevelopment Project Area.

Date: December 10, 2010 By: Francisco J Lopez

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	400638	920533101000	920533101101	OTHR-02-NS	512059	2220	2220500011		\$100,000.00
TOTAL AMOUNT									\$100,000.00

FUND OVERRIDE ☐

CC 3000003823

Passed by the Redevelopment Agency of The City of San Diego on JAN 11 2011, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<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"/>
Carl DeMaio	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 24 2011

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-

**04603**