

RESOLUTION NUMBER R- 299478

ADOPTED ON JUL 26 2004


A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO RETAINER AGREEMENT BETWEEN THE CITY AND SANDLER, LASRY, LAUBE, BYER AND VALDEZ, LLP.

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

1. That the City Manager is authorized to execute a First Amendment to Retainer Agreement between the City of San Diego and Sandler, Lasry, Laube, Byer, and Valdez, LLP., for outside counsel services in Glickman v. The City of San Diego (Case No. GIC 767025) and Shahan v. City of San Diego (Case No. GIC773950), now coordinated into Red Light Photo Enforcement Cases (Case No. JCCP4305).
2. That this amendment adds a total of \$200,000 to the original contract amount, as amended, thereby increasing the compensation under the agreement to a total amount not to exceed \$400,000.
3. That the expenditure of an amount not to exceed \$200,000 from the Public Liability Reserve – General Fund, Fund 81140, is authorized for the purpose of providing funds for the above agreement.

APPROVED: CASEY GWINN, City Attorney

By



David Engel-Brodie
Deputy City Attorney

DLB:al
06/15/04
AC# 2500012
Or.Dept: Risk Management
R-2004-1397

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2500012

ORIGINATING DEPT. NO.: 81140

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: \$200,000.00

Vendor: Sandler, Lasry, Laube, Byer, & Valdez, LLP

Purpose: Authorizing the amendment to the agreement between COSD and Sandler, Lasry, Laube, Byer, & Valdez, LLP for outside counsel services in Glickman v. City and related matters, in an amount not to exceed an additional \$200,000.00, for a total contract amount not to exceed \$400,000.00.

Date: July 6, 2004 By: Leonard J. Alvarado
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	81140	81140	3111	4141	81141				\$200,000.00
TOTAL AMOUNT										\$200,000.00

FUND OVERRIDE

AC 2500012

R-299478

JUL 26 2004