(R-2007-832)

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RESOLUTION NUMBER R- 302487

DATE OF FINAL PASSAGE APR 0 2 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING FIRST AMENDMENT TO THE CONSULTING AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND PAUL PLEVIN SULLIVAN & CONNAUGHTON, LLP

WHEREAS, the City of San Diego [City] entered into a Consulting Agreement (RR-301296) pursuant to resolution number R-301296, adopted on March 24, 2006, with the law firm Paul, Plevin, Sullivan & Connaughton, LLP [Firm] in an amount not to exceed \$250,000, for consulting services in connection with the 2006 Meet and Confer process with the City's five recognized employee organizations [Agreement]; and

WHEREAS, the term of the Agreement expired June 30, 2006; and

WHEREAS, the City has need of the Firm's services with regard to consulting services pertaining to the 2007 Meet and Confer process; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that the Council approves the First Amendment to the Agreement on file in the office of the City Clerk as Document No. RR-302487.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, or designee, is authorized and directed to execute, for and on behalf of the City, the First Amendment to the Agreement for an additional amount not to exceed \$250,000, for a total contract amount not to exceed \$500,000.

BE IT FURTHER RESOLVED, that the Council approves a Citywide cost allocation, based on full-time employees, to pay for the consulting services under the terms and conditions set forth in the Agreement and the First Amendment to the Agreement pertaining to these expenditures.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Kimberly K. Harris
Deputy City Attorney

KKH:ai 02/22/07 Or.Dept:Labor Relations R-2007-832

ELIZABETH S. MALAND

City Clerk

Deputy City Clerk

Approved: 4 . 2 . 0 (data)

(date)

JERRY SANDERS, Mayor

Vetoed: \_\_\_\_

(date)

JERRY SANDERS, Mayor

|                |                  |                             |                | C                          | ERTIFICATE                                   | OF UNALLO                             | LIED BALA            | ANCE            | AC_          | 2/0061/  |
|----------------|------------------|-----------------------------|----------------|----------------------------|--|---------------------------------------|----------------------|-----------------|--------------|--|
|                |                  |                             |                |                            |  |                                       |                      | ORIGINATING     | DEPT. NO.:   | 045  |
|                |                  |                             |                |                            |  | allotment of fue asury, and is        |                      |                 | forth in the | e foregoing resolution is                          |
| Amount         | : .              |                             | •              |                            |  | -                                     |                      |                 |              |  |
| Purpose        | ٠.               |                             |                | <del></del>                |  |                                       |                      |                 |              |  |
| ruipose        | · -              |                             |                |                            |  |                                       |                      |                 |              |  |
|                | -                |                             |                |                            |  |                                       |                      |                 |              |  |
|                | •                | ····                        |                |                            |  | -                                     |                      |                 |              |  |
| Date:          | •                |                             |                |                            |  | By:                                   |                      |                 |              |  |
| Date.          |                  |                             |                |                            |  |                                       |                      | AUDITOR AND     | OMPTROLLER'S | S DEPARTMENT                                       |
|                | 1 1              |                             |                |                            | AC   | COUNTING DATA                         | I                    | I               |              |  |
| ACCTG.<br>LINE | CY PY            | FUND                        | DEPT           | ORG.                       | ACCOUNT                                      | JOB ORDER                             | OPERATION<br>ACCOUNT | BENF/ EQUIP     | FACILITY     | AMOUNT   |
|                |                  |                             |                | _                          |  |                                       |                      |                 |              |  |
|                |                  |                             |                |                            |  |                                       |                      |                 |              |  |
|                |                  |                             |                |                            |  |                                       |                      |                 |              |  |
| TOTAL A        | MOU              | INT                         |                |                            | <u>.                                    </u> |                                       | 1                    |                 |              |  |
|                |                  |                             |                |                            |  |                                       |                      |                 |              | FUND OVERRIDE                                      |
|                |                  |                             |                | CERT                       | FICATION O                                   | F UNENCUM                             | BERED BA             | LANCE           |              |  |
|                |                  |                             |                |                            |  |                                       |                      |                 |              |  |
| ۱H             | ERE              | BY CERTIF                   | Y that the in  | ndebtednes                 | s and obligat                                | tion to be incu                       | irred by the         | contract or a   | greement a   | authorized by the hereto                           |
| attached       | resol            | ution, can b                | e incurred w   | ithout the v               | iolation of an                               | y of the provis                       | sions of the         | Charter of the  | City of Sar  | n Diego; and I do hereby<br>have been appropriated |
| for the r      | erniy,<br>burbos | in conformi<br>se of said o | contract, that | equirement<br>t sufficient | monevs to r                                  | neet the oblig                        | ations of s          | aid contract    | are actually | in the Treasury, or are                            |
| anticipat      | ed to            | come into t                 | he Treasury    | , to the cre               | dit of the app                               | propriation from                      | n which the          | same are to     | be drawn, a  | and that the said money                            |
|                |                  | n the Treas<br>ncumbered.   |                | er with the                | moneys antic                                 | cipated to con                        | ie into the          | reasury, to     | ne credit of | f said appropriation, are                          |
| Not to E       |                  |                             | ,000.00        |                            |  |                                       |                      |                 |              |  |
| NOT TO E       | kceeu.           | . \$250                     | ,000.00        |                            |  |                                       |                      | -               |              |  |
| Vendor:        |                  | Paul, Plevii                | n, Sullivan, a | ınd Connau                 | ighton LLP                                   | · · · · · · · · · · · · · · · · · · · |                      |                 |              |  |
| Purpose        | : _              | To authoriz                 | e the expend   | diture of fur              | nds for amend                                | dment to existi                       | ng agreeme           | ent for consult | ng services  | related to Meet and                                |
|                | -                | Confer prod                 | cess with the  | City's five                | labor organiz                                | ations.                               | -h                   |                 |              |  |
|                | -                |                             |                |                            |  |                                       |                      |                 |              |  |
| Date:          |                  |                             | March 1        | 13, 2007                   |  | _ By:                                 | Te                   | <u> </u>        |              |  |
|                |                  |                             |                |                            | ΔΛ   | COUNTING DATA                         | _V >                 | AUDITOR AND C   | OMPTROLLERS  | DEPARIMENT   |
| ACCTG.         | OV 5V            | FUND                        | DEDT.          | 000                        |  | JOB ORDER                             | OPERATION<br>ACCOUNT | BENF/ EQUIP     | FACILITY     | AMOUNT   |
| 001            | CY PY            | FUND<br>100                 | 601            | ORG.<br>3305               | ACCOUNT<br>4151                              | 003305                                | ACCOUNT              | DEITH ECOUP     | (AOLIT       | \$177,175.00                                       |
| 002            | 0                | 41400                       | 730            | 100                        | 4151   | 002150                                |                      |                 |              | 2,175.00   |
| 003            | 0                | 41200<br>41200              | 750<br>751     | 1001                       | 4151<br>4151                                 | 001002                                |                      |                 |              | 500.00<br>1,025.00                                 |
| 005            | 0                | 41200                       | 752            | 1000                       | 4151   | 000110                                |                      |                 |              | 2,025.00   |
| 006            | 0                | 41200                       | 753            | 010                        | 4151   | 002000                                |                      |                 |              | 700.00   |
| 007<br>008     | 0                | 41200<br>41210              | 754<br>755     | 1002                       | 4151<br>4151                                 | 004229                                | <u> </u>             |                 |              | 200.00<br>475.00                                   |
| 009            | 0                | 41210                       | 757            | 020                        | 4151   | 004229                                |                      |                 |              | 2,425.00   |
| 010            | ō                | 41210                       | 758            | 010                        | 4151   | 001001                                |                      |                 |              | 150.00   |
| 011            | 0                | 41210                       | 759            | 010                        | 4151   | 002010                                |                      |                 |              | 475.00   |
| 012            | 0                | 41500                       | 760            | 163                        | 4151   | 000163                                | <u> </u>             |                 |              | 20,700.00  |
| 013            | 0                | 41506                       | 776<br>720     | 455                        | 4151<br>4151                                 | 776260<br>001101                      |                      |                 |              | 23,825.00<br>450.00                                |
| 014<br>015     | 0                | 41100<br>50050              | 850            | 2000                       | 4151   | 085010                                | -                    | l               |              | 3,125.00   |
| 016            | 0                | 50050                       | 5431           | 100                        | 4151   | 543100                                |                      |                 |              | 1,525.00   |
| 017            | 0                | 41300                       | 1311           | 1100                       | 4151   | 001110                                |                      |                 |              | 100.00   |
| 018            | 0                | 41300                       | 1312           | 1250                       | 4151   | 000100                                |                      |                 |              | 1,075.00   |
| 019            | 0                | 41300                       | 1313           | 1310                       | 4151   | 001310                                |                      |                 |              | 3,875.00   |
| 020            | 0                | 41300                       | 1314           | 1410                       | 4151   | 001110                                |                      |                 |              | 2,275.00<br>3,525.00                               |
| 021            | 0                | 41300                       | 1316           | 1610                       | 4151   | 001110                                |                      | 1               |              | ა,ⴢ∠ⴢ.∪∪   |

AC-361 (REV 2-92)

FUND OVERRIDE AC\_ 

2,200.00

 FY 2007 Line of Accounting for Amedment to the Agreement between the City of San Diego and Paul Plevin, Sullivan & Connaughton LLP for consulting services pertaining to the meet and confer process with the City's five (5) recognized employee organizations.

**Total Amount:** 

not to exceed

\$250,000.00

## 2007 FTE Allocation Without MADs

| Line | CY/PY | Fund  | Dept | Org  | Account | Job Order | Amount     | Percentage |
|------|-------|-------|------|------|---------|-----------|------------|------------|
| 001  | 0     | 100   | 601  | 3305 | 4151    | 003305    | 177,175.00 | 70.87%     |
| 002  | 0     | 41400 | 730  | 100  | 4151    | 002150    | 2,175.00   | 0.87%      |
| 003  | 0     | 41200 | 750  | 1001 | 4151    | 001002    | 500.00     | 0.20%      |
| 004  | 0     | 41200 | 751  | 1002 | 4151    | 001500    | 1,025.00   | 0.41%      |
| 005  | 0     | 41200 | 752  | 1000 | 4151    | 000110    | 2,025.00   | 0.81%      |
| 006  | 0     | 41200 | 753  | 010  | 4151    | 002000    | 700.00     | 0.28%      |
| 007  | 0     | 41200 | 754  | 020  | 4151    | 004229    | 200.00     | 0.08%      |
| 008  | 0     | 41210 | 755  | 1002 | 4151    | 001500    | 475.00     | 0.19%      |
| 009  | 0     | 41210 | 757  | 020  | 4151    | 004229    | 2,425.00   | 0.97%      |
| 010  | 0     | 41210 | 758  | 010  | 4151    | 001001    | 150.00     | 0.06%      |
| 011  | 0     | 41210 | 759  | 010  | 4151    | 002010    | 475.00     | 0.19%      |
| 012  | 0     | 41500 | 760  | 163  | 4151    | 000163    | 20,700.00  | 8.28%      |
| 013  | 0     | 41506 | 776  | 455  | 4151    | 776260    | 23,825.00  | 9.53%      |
| 014  | 0     | 41100 | 720  | 2000 | 4151    | 001101    | 450.00     | 0.18%      |
| 015  | 0     | 50050 | 850  | 2000 | 4151    | 085010    | 3,125.00   | 1.25%      |
| 016  | 0     | 50050 | 5431 | 100  | 4151    | 543100    | 1,525.00   | 0.61%      |
| 017  | 0     | 41300 | 1311 | 1100 | 4151    | 001110    | 100.00     | 0.04%      |
| 018  | 0     | 41300 | 1312 | 1250 | 4151    | 000100    | 1,075.00   | 0.43%      |
| 019  | 0     | 41300 | 1313 | 1310 | 4151    | 001310    | 3,875.00   | 1.55%      |
| 020  | 0     | 41300 | 1314 | 1410 | 4151    | 001110    | 2,275.00   | 0.91%      |
| 021  | 0     | 41300 | 1316 | 1610 | 4151    | 001110    | 3,525.00   | 1.41%      |
| 022  | 0     | 41300 | 1317 | 1720 | 4151    | 001110    | 2,200.00   | 0.88%      |

Total:

250,000.000

100.00%