

204

(R-2010-64)  
(CORR.COPY)

RESOLUTION NUMBER R- 305141

DATE OF FINAL PASSAGE JUL 31 2009

A RESOLUTION AUTHORIZING THE MAYOR TO CONTINUE RETENTION FOR THE FIRM OF BUTZ DUNN & DE SANTIS, APC TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE DEFENSE OF SOLEDAD MOUNTAIN ROAD AND AUTHORIZING THE CITY AUDITOR AND COMPTROLLER TO ALLOCATE AND EXPEND RELATED FUNDS NOT TO EXCEED \$6,000,000 USING THE MODIFIED FY2010 FTE ALLOCATION.

WHEREAS, homeowners in the Soledad Mountain Road and Desert View Drive vicinity brought legal action against the City of San Diego [City], which resulted in damage to City and private property; and

WHEREAS, we are recommending the continuation of the firm of Butz Dunn & DeSantis which has the necessary skills and experience to assist the City in defense of this matter; and


WHEREAS, the Council of the City of San Diego has been briefed on the status of this matter in a duly-noticed Closed Session meeting on June 23, 2009; and

WHEREAS, the Council determined to continue the need to retain Butz, Dunn & DeSantis to assist the City in defense of this matter; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor is authorized to increase the contract amount with Butz Dunn & DeSantis, APC by \$2,500,000 for a total amount not to exceed \$6,000,000.

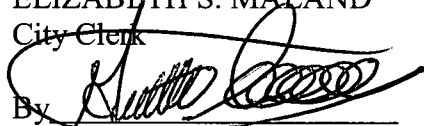
BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend \$2,500,000 for this contract applying the Modified FY2010 FTE allocation with a total amount not to exceed \$6,000,000.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Catherine A. Richardson  
Deputy City Attorney

CAR:bas  
07/15/09  
07/31/09 (CORR.COPY)  
Or.Dept: RISK  
R-2010-64

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 27 2009.

ELIZABETH S. MALAND  
City Clerk  
By   
Deputy City Clerk

Approved: 7-31-09  
(date)

  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor