

RESOLUTION NUMBER R- 305928

DATE OF FINAL PASSAGE JUL 02 2010

A RESOLUTION OF THE CITY OF SAN DIEGO  
AUTHORIZING THE EXTENDED RETENTION OF THE LAW  
OFFICES OF DORN G. BISHOP APC FOR THE PURPOSE OF  
LEGAL SERVICES FOR CASE, *SHIPYARD SEDIMENT SITE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
TENTATIVE CLEAN-UP AND ABATEMENT ORDER NO. R9-  
2005-0126*

WHEREAS, this matter involves a Tentative Cleanup and Abatement Order No. R9-2005-0126 issued by the California Regional Water Quality Control Board relating to the area of San Diego Bay including and to the north of Chollas Creek;

WHEREAS, the City of San Diego, along with several other entities, has been named as a responsible party in Tentative Cleanup and Abatement Order No. R9-2005-0126;

WHEREAS, the Council of the City of San Diego determined the necessity for outside counsel to provide legal services related to Tentative Cleanup and Abatement Order No. R9-2005-0126, including insurance coverage review, for the City;

WHEREAS, the Law Offices of Dorn G. Bishop APC possesses the necessary legal skills and insurance coverage experience to assist the City in defense of this matter;

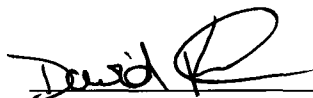
WHEREAS, the Council authorized the retention of the Law Offices of Dorn G. Bishop APC pursuant to Resolution No. R-304319 to provide legal services related to insurance coverage in an amount not to exceed \$150,000; and

WHEREAS, the Council was briefed on the status of this matter in Closed Session on December 7, 2009, and informed of the anticipated future legal services to be performed by the Law Offices of Dorn G. Bishop APC; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to extend the retention of The Law Offices of Dorn G. Bishop APC for legal services in the *Shipyards Sediment Site California Regional Water Quality Control Board Tentative Cleanup and Abatement Order No. R9-2005-0126* and *City of San Diego v. National Steel & Shipbuilding Company, et al.*, United States District Court Case No. 09-CV-2275 W (CAB) (S.D. Cal.), in an amount not to exceed an additional \$350,000.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to expend up to an additional \$350,000 from the Public Liability Fund on this matter.

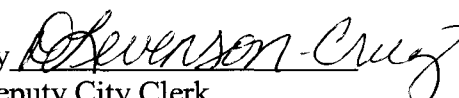
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
David J. Karlin  
Deputy City Attorney

DJK:lla  
April 22, 2010  
Or.Dept: City Attorney  
R-R-2009-441

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~\_\_\_\_\_~~ **JUN 22 2010**.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7-2-10  
(date)

  
JERRY SANDERS, Mayor

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

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