

RESOLUTION NUMBER R- 306274

DATE OF FINAL PASSAGE NOV 16 2010

A RESOLUTION OF THE CITY COUNSEL AUTHORIZING THE EXECUTION OF A LEGAL SERVICES AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND BRYAN C. VESS, APC AND SCHWARTZ SEMERDJIAN HAILE BALLARD & CAULEY, LLP IN CONNECTION WITH LITIGATION ENTITLED CITY OF SAN DIEGO V. A.J. DIANI CONSTRUCTION CO., INC., ET AL., SAN DIEGO SUPERIOR COURT 37-2008-00094185-CU-OR-CTL.

WHEREAS, the City of San Diego [City] contends that two debris removal companies, A.J. Diani and Granite Construction, collected money from the Debris Removal Program to which they were not entitled. The City is seeking to recover money and damages related to excessive removal of debris.

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

1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a legal services agreement between the City of San Diego and Bryan C. Vess, APC and Schwartz Semerdjian Haile Ballard & Cauley, LLP in connection with litigation related to debris removal companies that collected monies from the Debris Removal Program to which they were not entitled.

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2. The law firms are being retained on a contingency fee and will be paid out of money that is recovered for the City.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Jon E. Taylor
Jon E. Taylor
Deputy City Attorney

JET:bas
10/21/10
Or.Dept:City Atty
R-2011-384

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV. 9 2010

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 11.16.10
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor