

RESOLUTION NUMBER R- 309231

DATE OF FINAL PASSAGE OCT 08 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO AN OUTSIDE COUNSEL AGREEMENT WITH HANSON BRIDGETT, LLP FOR TAX AND EMPLOYEE BENEFITS LEGAL SERVICES, AND ADDITIONAL FUNDING FOR THE AGREEMENT.

WHEREAS, on June 11, 2012, the San Diego City Council (City Council) adopted San Diego Resolution R-307487 (June 26, 2012), authorizing the San Diego City Attorney to retain Hanson Bridgett, LLP (Law Firm), as outside tax and employee benefits counsel, and approving funding in an amount not to exceed \$250,000; and

WHEREAS, based upon this action, the City Attorney entered into a contract with Hanson Bridgett LLP to provide these services for a period not to exceed five years and in an amount not to exceed \$250,000; and

WHEREAS, the City of San Diego has a continuing need for the Law Firm's expert tax and employee benefits legal advice to establish a permanent defined contribution plan, and death and disability benefits for City employees and elected officers initially hired or assuming office after July 20, 2012; and

WHEREAS, the Law Firm's assistance is also needed to update the City's other qualified defined contribution plans, and to represent the City before the IRS on the City's applications for new determination letters; and

WHEREAS, the City also needs the Law Firm to provide general tax and employee benefits tax advice regarding the City's defined contribution retirement plans and health and welfare plans; and

WHEREAS, the City also needs the Law Firm to provide expert tax advice on an as-needed basis; and

WHEREAS, the Law Firm has billed the City \$208,613 for legal services for June 2012 through May 2014, leaving an available balance of \$41,387 for legal services from June 1, 2014 through the 2015 fiscal year; and

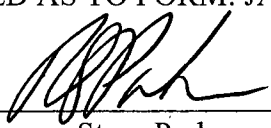
WHEREAS, it is estimated that an additional \$125,000 will be needed for tax and employee benefits legal services for the 2015 fiscal year; and

WHEREAS, due to the unusual and complex nature of the legal issues involved, the City Attorney's Office does not have the necessary expertise to advise the City on the all of these issues; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee and the City Attorney are authorized to amend the Agreement for Legal Services with Hanson Bridgett, LLP for legal services and expenses incurred in providing tax and employee benefits legal service, in an amount not to exceed an additional \$125,000 for a total contract amount of \$375,000.

BE IT FURTHER RESOLVED, that the City Council authorizes the Chief Financial Officer to expend an amount not to exceed an additional \$125,000 in accordance with the Citywide FTE Allocation Schedule for the agreement with outside counsel for the services referenced above, and the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under established agreement funding are, or will be, on deposit with the City Treasurer.

APPROVED AS TO FORM: JAN I. GOLDSMITH, City Attorney

By 
Roxanne Story Parks
Deputy City Attorney

RSP:ccm
07/08/2014
Or.Dept: City Attorney
818076

I certify that this Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 23 2014.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10/8/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on SEP 23 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 08 2014

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Mary Fernandez, Deputy

Office of the City Clerk, San Diego, California

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