

RESOLUTION NUMBER R- 309296

DATE OF FINAL PASSAGE NOV 13 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE RETENTION OF PROCOPIO, CORY, HARGREAVES & SAVITCH LLP FOR THE PURPOSE OF LEGAL SERVICES FOR CASE *BRIT UW LIMITED V. CITY OF SAN DIEGO, ET AL.*, UNITED STATES DISTRICT COURT, CASE NO. 14cv2195 JM (WVG)

WHEREAS, this matter involves an insurance coverage dispute arising between an insurer and City of San Diego and its employees following tender of the underlying lawsuit, *Walker v. City of San Diego, et al.*, San Diego Superior Court, case number 37-2013-00064633-CU-PO-CTL; and

WHEREAS, the Council has determined it is necessary for outside counsel to review insurance coverage issues for the City and its employees; and

WHEREAS, the law firm of Procopio, Cory, Hargreaves & Savitch LLP has the necessary skills and experience to assist the City and its employees in defense of this matter; and

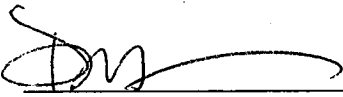
WHEREAS, the Council determined to retain Procopio, Cory, Hargreaves & Savitch to assist the City Attorney in the defense of this matter; and

WHEREAS, the Council has been briefed on the status of this matter in duly-noticed Closed Session on October 21, 2015, and authorized the City Attorney to retain the law firm of Procopio, Cory, Hargreaves & Savitch LLP for services in *Brit UW Limited v. City of San Diego, et al.* as set forth below; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council authorizes:

1. The City Attorney to enter into a contract with the law firm of Procopio, Cory, Hargreaves & Savage LLP for insurance coverage representation in connection with Brit UW Ltd. v. City of San Diego, et al., case number 14cv2195 JM (WVG).
2. The Chief Financial Officer to appropriate and expend an amount not to exceed \$100,000.00 from the public liability fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

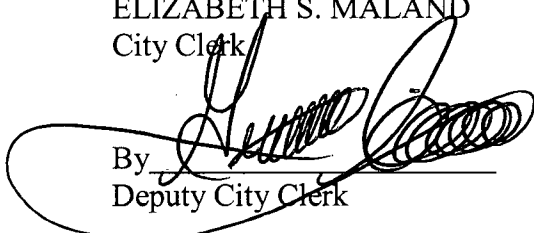
By 

Bonny Hsu
Deputy City Attorney

BH:mky
10/14/2014
Or.Dept: City Attorney
CC No. 3000007331
Doc. No. 881639

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~OCT 28 2014~~.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 11/13/14
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000007331
DEPT. NO. 1515

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____

Purpose: _____

Date: _____ By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$100,000.00

Vendor: Brit UW Limited

Purpose: Retention of outside counsel: Law firm Procopio, Cory , Hargreaves & Savage LLP.

Date: October 15th, 2014

By: Holly Hernandez
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	720045			OTHR-00000000-GG	512042	1515	1515000011		\$100,000.00
TOTAL AMOUNT									\$100,000.00

FUND OVERRIDE
CC 3000007331

Passed by the Council of The City of San Diego on OCT 28 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 13 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 Scandizzo*, Deputy

Office of the City Clerk, San Diego, California

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