

RESOLUTION NUMBER R- 309297

DATE OF FINAL PASSAGE NOV 13 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY ATTORNEY TO RETAIN HAIGHT, BROWN & BONESTEEL LLP FOR LEGAL SERVICES IN CONNECTION WITH *FLORES V. CITY OF SAN DIEGO, ET AL.* (USDC 14CV2202 W (JLB), AND RELATED CASES, FOR THE DEFENSE OF FORMER SAN DIEGO POLICE OFFICER DONALD MONCRIEF

WHEREAS, the City Council has determined that a conflict of interest exists between the City of San Diego and former San Diego Police Officer Donald Moncrief; and

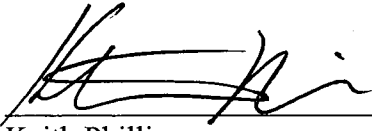
WHEREAS, former San Diego Police Officer Donald Moncrief and the City of San Diego have been sued in the case *Angelica Flores v. The City of San Diego and Donald Moncrief*, (USDC 14 CV2202 W(JLB) for federal law claims;

WHEREAS, in Closed Session on October 21, 2014, the City Council authorized, by the following votes: Yeas, Districts 1, 2, 3, 4, 6, 7, and 8; Nays, None; and absent, Districts 5 and 9, a legal services agreement between the City of San Diego and Haight Brown & Bonesteel LLP in connection with the defense of the civil litigation against Mr. Moncrief for an amount up to \$250,000.00 in legal fees and costs;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized and empowered to execute, for and on behalf of the City, an agreement with Haight, Brown & Bonesteel LLP for the purposes of the defense of the civil litigation against Mr. Moncrief, for an amount up to \$250,000.00 from the Public Liability Fund 720045, solely and exclusively for the purpose of providing funds for the above-described legal services and litigation expenses.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized and empowered to appropriate up to \$250,000.00 from the Public Liability Fund to meet this obligation.

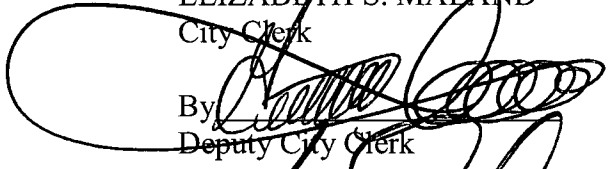
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Keith Phillips
Deputy City Attorney

KP:my
10/15/2014
Or.Dept:059
CC No. 3000007341
Doc. No. 882475

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 3000007341
 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: _____ \$250,000.00

Vendor: Law Firm of Haight Brown & Bonesteel

Purpose: Retention of outside counsel: Law firm Haight Brown & Bonesteel

Date: October 21st, 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		\$250,000.00
TOTAL AMOUNT									\$250,000.00

FUND OVERRIDE

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 Fernandez*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **309297**