

RESOLUTION NUMBER R- 309514

DATE OF FINAL PASSAGE MAR 11 2015

A RESOLUTION AUTHORIZING THE EXTENSION OF THE OUTSIDE COUNSEL CONTRACT WITH HAIGHT, BROWN & BONESTEEL LLP FOR LEGAL SERVICES IN CONNECTION WITH *DOE V. CITY OF SAN DIEGO* (USDC 12CV00689-MMA (DHB)), AND RELATED CASES, FOR THE DEFENSE OF FORMER SAN DIEGO POLICE OFFICER ANTHONY AREVALOS

WHEREAS, former San Diego Police Officer Anthony Arevalos was sued in the following cases: *Bracewell v. City of San Diego, et al.* (USDC 12-cv-1266 WQH (JMA)); *Doe v. City of San Diego, et al.* (USDC 3:12-cv-00689-MMA (DHB)); *Fisher v. City of San Diego, et al.* (USDC 12-cv-1268 LAB (NLS)); *Marin v. City of San Diego, et al.* (USDC 12cv1264 JLS (BGS)); *Emma M. v. City of San Diego, et al.* (USDC 12cv01375-W-JMA)); *Montazemi v. City of San Diego, et al.* (USDC 12-cv-1267 CAB (JMA)); *Roe v. City of San Diego, et al.* (USDC 12cv0243 W (WVG)); *Steele v. City of San Diego, et al.* (USDC 3:12cv01012 DMS (WMC)); *Thompson v. City of San Diego, et al.* (SDSC 37-2012-00092995-CU-CR-CTL)); *Tortora/White v. City of San Diego, et al.* (USDC 12cv1265 MMA (WMC)); *Wilde v. City of San Diego, et al.* (USDC 12cv1262 DMS (BGS)); and *Wong v. City of San Diego, et al.* (SDSC 37-2012-00096388-CU-PO-CTL) for various state and federal law claims;

WHEREAS, on June 12, 2012, the City Council in Closed Session authorized the City Attorney's office to bring to Open Session 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. Arevalos for an amount up to \$250,000.00 in legal fees and costs; and

WHEREAS, the remaining case brought by Plaintiff Jane Doe recently resolved and the City Attorney now seeks additional funds to pay Haight Brown & Bonesteel's outstanding legal bills.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized and empowered to execute, for and on behalf of the City, an extension of the agreement with Haight, Brown & Bonesteel LLP for the purposes of the defense of the civil litigation against Mr. Arevalos, for an additional amount up to \$60,000.00 from the Public Liability Fund 720045, solely and exclusively for the purpose of providing funds for the above-described legal services and litigation expenses, bringing the total contract request to \$310,000.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized and empowered to appropriate up to an additional \$60,000.00 from the Public Liability Fund to meet this obligation.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
\_\_\_\_\_  
Christina M. Milligan  
Deputy City Attorney

CM:gb  
2/10/15  
Or.Dept:059  
CC No. 3000007470  
Doc. No. 953471

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 24 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 3/10/15  
(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 3000007470  
 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: \$60,000.00

Vendor: Halght Brown & Bonesteel LLP

Purpose: Authorize extension of outside counsel in the defense of former police officer Arevalos in several cases, brought against him, the City and other related defendants.

Date: December 10, 2014 By: Jonathan Alfuentes Jonathan Alfuentes  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045				512042	1515	1515000011		60,000.00
TOTAL AMOUNT									\$60,000.00

FUND OVERRIDE

CC: 3000007470

Passed by the Council of The City of San Diego on FEB 24 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<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"/>
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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 11 2015

(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:

(Seal)

KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Aty Brady*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **309514**

# 109 2/24/15

(R-2015-422)

RESOLUTION NUMBER R- 309517

DATE OF FINAL PASSAGE MAR 11 2015

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SAN DIEGO CONFIRMING A REAPPOINTMENT  
TO THE PLANNING COMMISSION

WHEREAS, the Planning Commission (Commission) is established in San Diego Charter section 41(c); and

WHEREAS, the Commission conducts hearings on all special use permits, all re-zonings, all community plans and the General Plan, and considers land use ordinances and such other improvements as the Council may, by ordinance, determine; and

WHEREAS, the Commission consists of seven members appointed by the Mayor, subject to Council confirmation; and

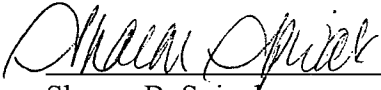
WHEREAS, members of this Commission serve for four-year terms and until their successors are elected, appointed, and qualified; and

WHEREAS, appointments to the Commission are to be made so that not more than three members are appointed in any one year; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following reappointment by the Mayor of the City of San Diego, to serve as a member of the Planning Commission, for a term ending as indicated, is made and hereby confirmed:

<u>NAME</u>	<u>TERM ENDING</u>
Stephen Haase (Navajo, District 7) (Reappointment)	1/28/2019


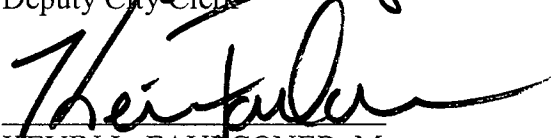
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Sharon B. Spivak  
Deputy City Attorney

SBS:jdf  
02/10/15  
Or.Dept:Mayor  
Doc. No.: 954136

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 24 2015

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk  
  
KEVIN L. FAULCONER, Mayor

Approved: 3/10/15  
(date)

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on FEB 24 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 11 2015

**(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 *Aty Ready*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **309517**