

RESOLUTION NUMBER R- 310820  
DATE OF FINAL PASSAGE DEC 16 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AGREEMENT FOR LEGAL SERVICES WITH PAUL, PLEVIN, SULLIVAN & CONNAUGHTON, LLC AND AUTHORIZING AND DIRECTING THE MAYOR TO SIGN THE AGREEMENT.

WHEREAS, the City of San Diego (“CITY”) and Daniel F. Bamberg (“BAMBERG”) are named defendants in the lawsuit entitled *Molly Hoot v. City of San Diego et al: San Diego Superior Court Case No. 2016-00035984-CU-OE-CTL*; and

WHEREAS, the City desires to retain the law firm of PAUL, PLEVIN, SULLIVAN & CONNAUGHTON, LLP (“PAUL”) to defend this lawsuit; and

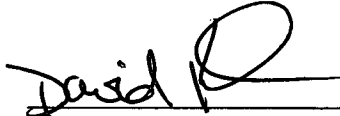
WHEREAS, the agreement for legal services (“Agreement”), between the City and PAUL is for an amount not to exceed \$50,000 and shall run from the date the last party signs the Agreement, and it is approved by the City Attorney in accordance with San Diego Charter section 40, until the scope of services defined in the Agreement is complete, but not for a term exceeding five years from the date of the initial agreement, unless an extension is approved by ordinance of the Council of the City of San Diego pursuant to San Diego Charter section 99; and;

WHEREAS, the funding for the Agreement shall be borne by Public Liability Fund 720045; and

WHEREAS, this matter was heard by the City Council in closed session on October 24, 2016; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council approves the retention of outside counsel and authorizes and directs the Mayor or his designee to sign the Agreement for legal services with Paul, Plevin, Sullivan & Connaughton, LLP;

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
David J. Karlin  
Assistant City Attorney - Interim


DJK:aml  
November 10, 2016  
Or. Dept; City Attorney  
CC No. 3000009440  
Doc. No.: 1381452

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 08 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12/14/16  
(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 300009440  
DEPT. NO.: 1211

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: \_\_\_\_\_ Fund: \_\_\_\_\_

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: \$50,000.00

Vendor: Paul, Plevin, Sullivan & Connaughton LLP.

Purpose: Authorizing the expenditure of funds for the legal service agreement.

Date: November 3, 2016

By: Lina Chlm 

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		\$50,000.00
TOTAL AMOUNT									\$50,000.00

FUND OVERRIDE

CC 300009440

Passed by the Council of The City of San Diego on DEC 06 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr 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"/>
District 3 - (Vacant)	<input 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 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 DEC 16 2016

(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 *Linda Gruen*, Deputy

Office of the City Clerk, San Diego, California

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