

RESOLUTION NUMBER R- 311324  
DATE OF FINAL PASSAGE SEP 21 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE RETENTION OF OUTSIDE COUNSEL AND DIRECTING THE MAYOR TO RETAIN SUCH COUNSEL TO REPRESENT THE CITY IN *JOHN DOE #1, ET AL. V. CITY OF SAN DIEGO*.

WHEREAS, the City of San Diego has been sued over the Child Protection Act (CPA) (codified at San Diego Municipal Code section 58.0601, *et seq.*), regarding *John Doe #1, et al. v. City of San Diego*, United States District Court Case No. 17cv1581-W-WVG; and

WHEREAS, the City Attorney represents the City pursuant to San Diego Charter section 40; and

WHEREAS, the San Diego City Council (City Council) met in closed session on June 6, 2017; and,

WHEREAS, the City Council heard item 51 in open session on August 1, 2017, regarding the repeal of the CPA; and

WHEREAS, the City Attorney provided advice on the CPA on the dais at the open session on August 1, 2017; and

WHEREAS, the City Attorney has declared a conflict pursuant to California Rule of Professional Conduct 3-200(B); and

WHEREAS, the City Council desires to authorize the retention of outside counsel and further request the Mayor to retain such counsel to represent the City in *John Doe #1, et al. v. City of San Diego*, United States District Court Case No. 17cv1581-W-WVG; and

WHEREAS, the Mayor intends to retain the services of the Morris Law Firm in an amount not to exceed \$50,000; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the retention of outside counsel is authorized and the Mayor is requested to retain the Morris Law Firm in an amount not to exceed \$50,000 to represent the City in *John Doe #1, et al. v. City of San Diego*, United States District Court Case No. 17cv1581-W-WVG, and further contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED AS TO FORM AS REQUIRED BY  
SAN DIEGO CHARTER SECTION 40:  
MARA W. ELLIOTT, City Attorney

By   
David J. Karlin  
Senior Chief Deputy City Attorney

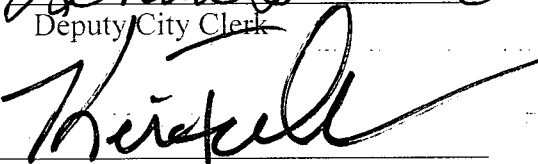
MTM:DJK:ccm  
September 15, 2017  
Or. Dept: Mayor  
Doc. No.: 1584159

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 19 2017.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 9/21/17  
(date)

  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on SEP 19 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 21 2017

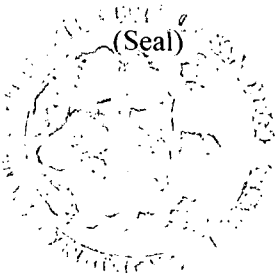
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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.

By Genda Bruen, Deputy



Office of the City Clerk, San Diego, California

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