

RESOLUTION NUMBER R- 311394
DATE OF FINAL PASSAGE NOV 09 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING ADDITIONAL FUNDS FOR LEGAL SERVICES WITH PAUL, PLEVIN, SULLIVAN & CONNAUGHTON, LLC., AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXPEND SPECIFIED AMOUNTS UNDER 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 retained the law firm of PAUL, PLEVIN, SULLIVAN & CONNAUGHTON, LLP ("PAUL PLEVIN") to defend this lawsuit; and

WHEREAS, the agreement for legal services ("Agreement"), between the City and PAUL was for an amount not to exceed \$50,000;

WHEREAS, the parties have resolved this lawsuit and it was dismissed on or about August 24, 2017;

WHEREAS, in order to pay the final outstanding invoice to PAUL PLEVIN, \$2,748.48 needs to be added to Purchase Order No. 4500087367;

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

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

1. Authorize the Mayor or his designee to add the sum of \$2,748.48 to Purchase Order No. 4500087367 in order to pay the final outstanding invoice to PAUL PLEVIN.

2. Authorize the Chief Financial Officer to appropriate and expend \$2,748.48 from Public Liability Fund No. 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: MARA W. ELLIOT, City Attorney

By David J. Karlin
David J. Karlin
Senior Chief Deputy City attorney

DJK:aml
October 23, 2017
Or. Dept; City Attorney
CC No. 3000010339
Doc. No.: 1609154

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 07 2017.

ELIZABETH S. MALAND
City Clerk

By Elizabeth Maland
Deputy City Clerk

Approved: 11/9/17
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000010339
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: _____ \$2,748.74

Vendor: Paul, Plevin, Sullivan & Connaughton LLP

Purpose: Authorizing the expenditure of additional funds to the agreement for legal services in connection with Molly Hoot litigation matters.

Date: September 15, 2017

By: Lina Chlm  9/19/17
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		\$2,748.74
TOTAL AMOUNT									\$2,748.74

FUND OVERRIDE

CC 3000010339

Passed by the Council of The City of San Diego on NOV 07 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 NOV 09 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.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Sty Brady, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311394