

RESOLUTION NUMBER R- 312733

DATE OF FINAL PASSAGE NOV 07 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AMENDMENT NO. 1 TO THE AGREEMENT FOR LEGAL SERVICES WITH THE MORRIS LAW FIRM FOR AN AMOUNT NOT TO EXCEED \$100,000; AUTHORIZING AND DIRECTING THE MAYOR TO SIGN THE AGREEMENT; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXPEND SPECIFIED AMOUNTS UNDER THE AGREEMENT

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 City Attorney declared a conflict pursuant to California Rule of Professional Conduct 3-200(B) on August 1, 2017; and

WHEREAS, the City Council authorized the retention of outside counsel and further requested 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, this Amendment No. 1 to the Agreement for Legal Services ("Agreement"), between the City and Morris Law Firm is for an amount not to exceed \$100,000, 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 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; NOW, THEREFORE:

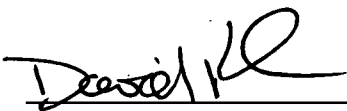
BE IT RESOLVED, by the Council of the City of San Diego, that the Council
approves the Amendment No. 1 to the Agreement and authorizes and directs the Mayor or his
designee to sign the Agreement for legal services with Morris Law Firm,

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to
expend an amount up to \$100,000 for Amendment No. 1 to the Agreement with Morris Law
Firm,

BE IT FURTHER RESOLVED, that the actions authorized herein are contingent
upon the Chief Financial Officer first furnishing one or more certificates stating that funds
necessary for the authorized expenditures are, or will be, on deposit with the City Treasurer.

APPROVED AS TO FORM AS REQUIRED BY
SAN DIEGO CHARTER SECTION 40.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

David J. Karlin
Senior Chief Deputy City Attorney

DKJ:slc
October 17, 2019
Dept.: City Attorney
CC No. 30000012635
Doc. No.: 2203310

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 05 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/7/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO. 3000012635
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: _____ 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: _____ \$100,000.00

Vendor: Morris Law Firm, APC

Purpose: An amendment to the contract between the City and the Morris Law Firm to increase funding by \$100,000 for a total not to exceed contract amount of \$150,000.

Date: October 9, 2019 By: Justin Byko

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			OTHR-00000000-GG	512042	1515	151500011		\$100,000.00
TOTAL AMOUNT									\$100,000.00

Passed by the Council of The City of San Diego on NOV 05 2019, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 07 2019.

(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- 312733