

ORDINANCE NUMBER O- 21197

DATE OF FINAL PASSAGE JUN 04 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO AN AGREEMENT FOR LEGAL SERVICES WITH COLANTUONO HIGHSMITH & WHATLEY, PC, FORMERLY COLANTUONO & LEVIN, PC IN THE LITIGATION CHALLENGING THE METHOD USED BY THE COUNTY TO CALCULATE THE RESIDUAL BALANCE DISTRIBUTION.

WHEREAS, on December 17, 2013, pursuant to San Diego Resolution R-308673, the San Diego City Council authorized the retention of Colantuono Highsmith & Whatley, PC, formerly Colantuono & Levin, PC (Law Firm) as outside counsel to provide legal representation in connection with litigation against the County of San Diego (County) asserting claims that challenge the method used by the County to calculate the amount of residual balance distributed to local taxing entities, including the City, from the Redevelopment Property Tax Trust Fund created for each of the applicable successor agencies.; and

WHEREAS, on January 8, 2014 , pursuant to this City Council authorization, the City of San Diego and Law Firm executed the Agreement for Legal Services dated January 8, 2014; and

WHEREAS, the City wishes to amend the Agreement for Legal Services to retain the Law Firm for an additional five years because the case requires additional work by the Law Firm beyond the five-year term; and

WHEREAS, under San Diego Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:


Section 1. That the Amendment to the Agreement for Legal Services is approved and the Mayor or his designee is authorized and directed to execute the Amendment for and on behalf of the City, with the Law Firm to provide legal services to advise the City as appropriate in the litigation challenging the method used by the Court to calculate the residual balance distribution under the terms and conditions set forth in the Amendment to an Agreement for Legal Services on file in the Office of the City Clerk as Document No. OO- 21197.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Meghan Ashley Wharton
Senior Deputy City Attorney

MAW:AL

Or.Dept: Office of the City Attorney
Doc. No.: 2013-13337

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 06/02/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 4/3/2020
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN. 02 2020, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 04 2020.

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 Connie Patterson, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 19 2020, and on JUN 04 2020.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
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