

RESOLUTION NUMBER R- 312924

DATE OF FINAL PASSAGE APR 09 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
AUTHORIZING A FIRST AMENDMENT TO THE HUGO PARKER,
LLP OUTSIDE COUNSEL CONSULTANT AGREEMENT

WHEREAS, on January 28, 2020, City Council approved a two-year, as-need legal services agreement with Hugo Parker, LLP as an outside counsel consultant to assist the City with issues involving asbestos containing material at any City owned or occupied building or facility, including review of relevant City policies and procedures (R-2020-287); and

WHEREAS, the not to exceed amount of the Hugo Parker, LLP Agreement was set at \$150,000; and

WHEREAS, after the legal services agreement was approved on January 28, 2020, the City asked Hugo Parker, LLP to oversee a comprehensive forensic review of the events leading to asbestos-related complaints involving 101 West Ash Street; and

WHEREAS, this forensic review includes a team of experts, including a law firm specializing in real estate transactions, an insurance expert, an industrial hygienist, a pulmonary physician, a construction management specialist, and others; and

WHEREAS, due to Law Firm's involvement in the forensic review, the City Attorney's Office now seeks to exercise a First Amendment to the agreement to increase the not to exceed amount by \$200,000 for a total not to exceed amount of \$350,000; and

WHEREAS, City Council approval of this amendment is required pursuant to San Diego Municipal Code section 22.3207(a)(2) because the total contract awards to this consultant exceed \$250,000 in a fiscal year; NOW THEREFORE,

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

1. That the First Amendment to the Legal Services Agreement with Hugo Parker, LLP, is approved and the Mayor or his designee is authorized to execute for and on behalf of the City of San Diego, a first amendment, in an amount not to exceed \$350,000.

2. That the Chief Financial Officer or his designee is authorized to appropriate and expend an amount not to exceed \$350,000 for the above Legal Services Agreement (1) from the General Fund or the Public Liability Fund, as may be approved by Risk Management and contingent upon the adoption of the Appropriation Ordinance for the applicable Fiscal Year, and contingent upon the Chief Financial Officer first issuing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury; or, (2) the City Department seeking Law Firm's consulting services shall approve and coordinate payment for such services from its funds.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jim McNeill
Jim McNeill
Assistant City Attorney

JM:LD:hm
February 28, 2020
Or.Dept: City Attorney
Doc. No.: 2340338

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 04/07/2020

ELIZABETH S. MALAND
City Clerk

By /s/ Gil Sanchez

Deputy City Clerk



KEVIN L. FAULCONER, Mayor

Approved:

4/9/2020

(date)

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 07 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" 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 APR 09 2020.

(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 Connie Patterson, Deputy
for Stacy Ready

Office of the City Clerk, San Diego, California

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