8/4/2020

#102

(R-2021-34)

RESOLUTION NUMBER R- 313187

DATE OF FINAL PASSAGE AUG 12 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE AMENDMENT OF THE AGREEMENT WITH STRADLING YOCCA CARLSON & RAUTH, P.C. FOR LEGAL COUNSEL SERVICES BY INCREASING THE AUTHORIZED AMOUNT BY $30,000.

WHEREAS, the Public Facilities Financing Authority of the City of San Diego (Authority), a California joint exercise of powers authority duly organized to provide financial assistance to the City, successfully issued its $60,745,000 Lease Revenue Refunding Bonds, Series 2020A (Series 2012A Refunding) (Federally Taxable) (2020 Bonds); and

WHEREAS, on January 14, 2020, the San Diego City Council (Council) passed Ordinance No. O-21168 authorizing, among other things, the current legal services agreement (Agreement) with Stradling Yocca Carlson & Rauth, P.C. (Stradling), which law firm served as bond and disclosure counsel to the City and the Authority in the issuance of the 2020 Bonds (Transaction); and

WHEREAS, due to the increased complexity of the Transaction based in part on unforeseen market turmoil resulting from the COVID-19 pandemic, Stradling was required to provide services that exceeded the scope of work outlined in the Agreement; and

WHEREAS, Stradling provided the City and the Authority with superior legal representation and its specialized expertise, resources, and personnel were integral to the successful outcome of the Transaction; and

WHEREAS, an amendment (Amendment) to the Agreement to provide Stradling an additional $30,000 in compensation is warranted based on the services it provided to the City and the Authority that exceeded the scope of work in the Agreement; NOW, THEREFORE,

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

1. The City Attorney or her specified designee is authorized to execute the Amendment, increasing the authorized maximum amount of the Agreement from $70,000 to $100,000.

2. The expenditure of an additional amount not to exceed $30,000 is authorized for the purpose of executing the Amendment, contingent upon the City Comptroller first certifying that funds are available for the above referenced Amendment.

3. Such Amendment shall be in an amount not to exceed $30,000.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Bret A. Bartolotta
Bret A. Bartolotta
Deputy City Attorney

BAB:jdf
7/14/2020
Or.Dept: City Attorney
Doc. No.: 2426984

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 08/04/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Stacy D. Ready
Deputy City Clerk

Approved: 8/11/20
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 04 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Monica Montgomery	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Georgette Gómez	☒	☐	☐	☐

Date of final passage AUG 12 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 _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 313187