RESOLUTION NUMBER R- 313284

DATE OF FINAL PASSAGE NOV 17 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES WITH BURKE, WILLIAMS & SORENSON, LLP, FOR AN AMOUNT NOT TO EXCEED \$250,000; 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 (City) is a named defendant in the lawsuit entitled Marlea Dell'Anno v. City of San Diego, et al., San Diego Superior court Case no. 37-2017-00000118-CU-OE-CTL (Dell'Anno Case); and

WHEREAS, the City has been defended by Burke, Williams & Sorensen, LLP in the Dell'Anno Case since 2018, and that Burke, Williams & Sorensen, LLP possesses specialized knowledge and experience attendant with its two year defense of the City in the Dell'Anno Case, thereby, possessing unique knowledge and experience in this matter that is beyond that available in the Office of the City Attorney, and therefore the City desires to continue to utilize the services of Burke, Williams & Sorensen, LLP for the continued defense of the Dell'Anno Case; and

WHEREAS, this Amendment to the Agreement for Legal Services (Agreement) between the City and Burke, Williams & Sorensen, LLP is for an amount not to exceed \$250,000, 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

(R-2021-166)

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 City Council of the City of San Diego, that the Council

approves the Amendment to the Agreement and authorizes and directs the Mayor or his designee

to sign the Agreement for legal services with Burke, Williams & Sorensen, LLP,

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

Council authorizes the Department of Finance or his designee to appropriate and expend an

amount up to \$250,000 for the Amendment to the Agreement with Burke, Williams & Sorensen,

LLP,

BE IT FURTHER RESOLVED, that the actions authorized herein are contingent upon

the Department of Finance first furnishing one or more certificates certifying that the funds

necessary for the authorized expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By s/Dave E. Abad

Dave E. Abad

Deputy City Attorney

DA:gb

10/7/2020

Or.Dept: City Attorney

CC No. 3000013581

Doc. No.: 2489035

-PAGE 2 OF 3-

I hereby certify that the foregoing Resolution was San Diego, at this meeting of	passed by the Council of the City of
	ELIZABETH S. MALAND City Clerk
Approved:	By /s/ Stacy D. Ready Deputy City Clerk KEVIN L. FAULGONER, Mayor
Vetoed:(date)	KEVIN L. FAULCONER, Mayor

The City of San Diego COMPTROLLER'S CERTIFICATE

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Passed by the Council of The C	ity of San Dieg	o on <u>N(</u>	OV` 1 0 2020	_, by the following vote:
Councilmembers Barbara Bry Jennifer Campbell Chris Ward Monica Montgomery Mark Kersey Chris Cate Scott Sherman Vivian Moreno Georgette Gómez	Yeas	Nays	Not Present	Recused
Date of final passage NOV (Please note: When a resoluted the approved resolution)		_	-	
AUTHENTICATED BY:		Mayo	KEVIN L. FAL or of The City of S	JLCONER an Diego, California.
(Seal)		City Cl	ELIZABETH S erk of The City of	MALAND San Diego, California. Deputy
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