

ORDINANCE NUMBER O- 21724

DATE OF FINAL PASSAGE SEP 18 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SECOND AMENDMENT
TO THE AGREEMENT WITH THE LAW FIRM OF JONES &
MAYER TO PROVIDE CONTINUED AS-NEEDED LEGAL
SERVICES AS PANEL OUTSIDE COUNSEL

WHEREAS, in November 2017 and February 2018, the City of San Diego (City) issued Requests for Proposals (RFPs), seeking to retain panel outside counsel in seven areas of law on an as-needed basis, in order to streamline the process for engaging outside counsel, to avoid delays in City projects moving forward and putting the City at a disadvantage in litigation; and

WHEREAS, on July 20, 2018, by San Diego Resolution R-311866 (July 20, 2018), the City Council (Council) approved the retention of 17 different law firms to represent the City on an as-needed basis in these seven areas of law, including the law firm of Jones & Mayer (Law Firm) to represent the City; and

WHEREAS, the Legal Services Agreement awarded to the Law Firm was in an amount not to exceed \$250,000; and

WHEREAS, on December 14, 2021, by San Diego Resolution R-2022-136, City Council approved an increase to the Legal Services Agreement in an amount not to exceed \$650,000; and

WHEREAS, the City requires the legal services of the Law Firm to continue to defend the City in a pending lawsuit in light of the upcoming trial date; and

WHEREAS, the Law Firm will soon exceed the maximum contract time limit of five years, with its term presently set to end on August 9, 2023; and

WHEREAS, the City Attorney's Office is now seeking to extend the five-year contract by three-years, to an eight-year contract; and

WHEREAS, this action is not seeking any additional funding beyond what has previously been appropriated by the City Council; and

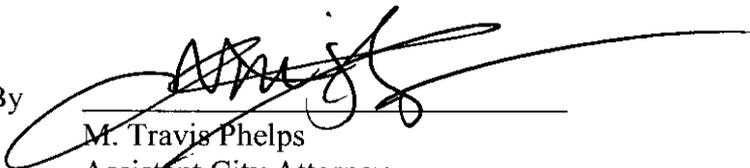
WHEREAS, the Council must approve the Second Amendment to the Contract in accordance with San Diego Charter section 99 because the term of the extended Contract will exceed five years; NOW, THEREFORE;

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

1. That the Second Amendment to the Legal Services Agreement with Law Firm is approved, and the Mayor or his designee is authorized to execute the Second Amendment to the legal services agreement with the Law Firm, to increase the term of the contract by three years, for a total not to exceed eight years.

APPROVED: MARA W. ELLIOTT, City Attorney

By



M. Travis Phelps
Assistant City Attorney

July 21, 2023
Or.Dept: City Attorney

Doc No.: 3365743

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 12 2023.

DIANA J.S. FUENTES
City Clerk

By Krystell Medina
Deputy City Clerk

Approved: 9/15/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is September 18, 2023, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature.)

Passed by the Council of The City of San Diego on SEP 12 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 18 2023.

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Krystell Medina, 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

AUG 01 2023, and on SEP 18 2023.

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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Krystell Medina, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21724</u>