

RESOLUTION NUMBER R- 316934

DATE OF FINAL PASSAGE SEP 29 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE THIRD AMENDED LEGAL
SERVICES AGREEMENT WITH LOZANO SMITH, LLP.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

- A. On August 8, 2023, the San Diego City Council passed Resolution Number R-315085 authorizing the retention of eleven selected law firms in various practice areas of law as outside counsel. One of the eleven firms was Lozano Smith, LLP (Law Firm).
- B. On or about August 30, 2023, the City and Law Firm entered into a Legal Services Agreement (Agreement) for a term not to exceed 5 years and in an amount not to exceed \$500,000.00.
- C. On July 29, 2025, City Council adopted Resolution R-316398 authorizing the First Amendment to the Agreement, increasing the total not-to-exceed amount by \$500,000.00 to \$1,000,000.00.
- D. On or about August 27, 2025, the City and Law Firm executed the First Amendment, increasing the Agreement's not-to-exceed amount to \$1,000,000.00.
- E. On March 3, 2026, City Council adopted Resolution R-316656 authorizing the Second Amendment to the Agreement, increasing the total not-to-exceed amount by \$500,000.00 to \$1,500,000.00.

F. On April 29, 2026, the City and Law Firm executed the Second Amendment, increasing the Contract's not-to-exceed amount to \$1,500,000.00.

G. The City Attorney's Office (Office) and Law Firm seek a Third Amendment to the Agreement to add \$1,000,000.00 to the not-to-exceed amount.

H. The proposed Third Amendment to increase the Agreement by an additional \$1,000,000.00 is necessary to allow the Law Firm to continue to represent the City in the employment litigation matter *Hector Torres v. City of San Diego*, San Diego Superior Court Case No. 26CU030973C, and the police use of force litigation matters *Wiese v. City of San Diego*, San Diego Superior Court Case No. 26CU029537C, and *Estate of Enrique Cortez, et al. v. City of San Diego et al.*, Case No. 26-cv-00082-TWR-DEB, District Court, S.D. California, as well as to allow Law Firm to assist in other matters as may become necessary.

I. This Office seeks Council approval of the Third Amendment to the Agreement.

ACTION ITEMS

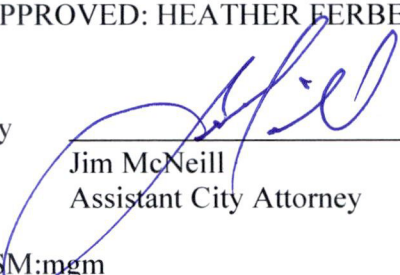
Be it resolved by the Council of the City of San Diego:

1. The Mayor or his designee is authorized to execute the Third Amendment to the Agreement with the Law Firm to add \$1,000,000.00 to the Agreement for a total not-to-exceed amount of \$2,500,000.00.

2. The Chief Financial Officer is authorized to expend a not-to-exceed amount of \$1,000,000.00, for a total not-to-exceed amount of \$2,500,000.00, to pay for legal services under this Third Amendment, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: HEATHER FERBERT, City Attorney

By



Jim McNeill
Assistant City Attorney

JSM:mgm

August 12, 2026

Or. Dept: City Attorney

Doc. No. 4520121

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on

SEP 15 2026

DIANA J.S. FUENTES
City Clerk

By



Deputy City Clerk

Approved: _____

9/28/26
(date)



TODD GLORIA, Mayor

Vetoed: _____

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on September 15, 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☐	☒	☐	☐
Marni von Wilpert	☐	☐	☒	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage SEP 29 2026.

(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:

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 , Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-316934**