

RESOLUTION NUMBER R- 316935

DATE OF FINAL PASSAGE SEP 29 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SECOND AMENDMENT TO
THE AGREEMENT FOR LEGAL SERVICES WITH
DEVANEY PATE MORRIS & CAMERON.

RECITALS

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

A. On August 8, 2023, City Council Resolution R-315085 authorized the retention of eleven selected law firms in various practice areas of law as outside counsel. One of those eleven firms was Devaney Pate Morris & Cameron, 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 five years and in an amount not to exceed \$500,000.

C. On July 31, 2025, City Council adopted Resolution R-316397 authorizing the First Amendment to the Agreement, increasing the total not-to-exceed amount by \$1,000,000.00 to \$1,500,000.00.

D. On September 3, 2025, the City and Law Firm executed the First Amendment, increasing the Agreement's not-to-exceed amount to \$1,500,000.00.

E. The City Attorney's Office (Office) is now seeking an increase only to the not-to-exceed amount of the Agreement and does not seek any other amendment.

F. The proposed Second Amendment to increase the Agreement by \$1,000,000 is necessary to allow the Law Firm to continue to represent the City in litigation matters involving lawsuits arising from the January 22, 2024 rain occurrence and flooding, including *Gregory Montoya, et al. v. City of San Diego*, San Diego Superior Court Case No. 37-2024-

00021327-CU-EI-CTL and related matters, Law Firm's defense of the City in the additional matters of *Estate of Gabriel Jesus Garza et al. v City of San Diego, et al.*, United States District Court, Southern District of California, Case No. 25CV1350 JLS SBC, *Saney Morn v. City of San Diego*, Case No. 25-cv-00261-JAH-DEB, United States District Court, Southern District of California, and *Peterson, et al. v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2024-00028442-CU-PO-CTL, as well as to allow Law Firm to assist in other matters as may become necessary.

G. This Office seeks Council approval of the Second Amendment to the Agreement.

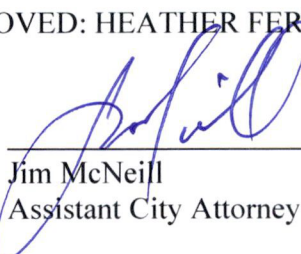
ACTION ITEMS

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

1. The Mayor or his designee is authorized to execute the Second 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 Second 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. 4520165

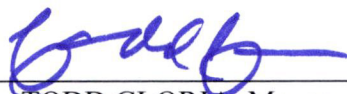
I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on

SEP 15 2026

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 9/20/26
(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

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