

RESOLUTION NO. 2023 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AMENDING THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND DEVANEY PATE MORRIS & CAMERON LLP FOR LEGAL SERVICES IN THE SPECIALIZED AREA OF GENERAL CIVIL LITIGATION DEFENSE ARISING FROM GOVERNMENT CLAIMS BY 1) INCREASING THE NOT-TO-EXCEED AMOUNT BY \$125,000 FOR A NEW TOTAL NOT-TO-EXCEED AMOUNT OF \$200,000 PERTAINING TO LITIGATION TITLED BHANDARI V. CITY; AND 2) INCREASING THE NOT-TO-EXCEED AMOUNT BY \$75,000 FOR A NEW TOTAL NOT-TO-EXCEED AMOUNT OF \$150,000 PERTAINING TO THE LITIGATION TITLED CUMMINS V. CITY.

WHEREAS, on November 16, 2021, the City of National City (“City”) entered into an agreement with Devaney Pate Morris & Cameron LLP for specialized services in General Civil Litigation Defense arising from Government Claims for an amount not-to-exceed of \$75,000 per case; and

WHEREAS, the legal services provided include consultation with the City Attorney and the City’s Risk Manager on Government Claims, defense of the City on litigated matters, advice and counsel to the City Council, and communications with City staff; and

WHEREAS, the City Attorney’s Office desires to 1.) increase the not-to-exceed amount by \$125,000 for a new not-to-exceed amount total of \$200,000 due to the ongoing cost of legal services pertaining to the litigation titled Sophia Bhandri v. City of National City, et al. and 2.) increase the not-to-exceed amount by \$75,000 for a new not-to-exceed amount total of \$150,000 due to the ongoing cost of legal services pertaining to the litigation titled Ashley Cummins v. City of National City, et al..

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: Authorizes the November 16, 2021 Agreement with Devaney Pate Morris & Cameron LLP to be amended to cover the cost of the increased scope of services from the original not-to-exceed amount of \$75,000.00 by an increased amount of \$125,000.00, for a new total not-to-exceed amount of \$200,000.00 as it pertains to the case title *Sophia Bhandari v. City of National City*.

Section 2: Authorizes the November 16, 2021 Agreement with Devaney Pate Morris & Cameron LLP to be amended to cover the cost of the increased scope of services from the original not-to-exceed amount of \$75,000.00 by an increased amount of \$75,000.00, for a new total not-to-exceed amount of \$150,000.00 as it pertains to the case title *Ashley Cummins v. City of National City*

Section 3: The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 21st day of March, 2023

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney