

RESOLUTION NO. 2025 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AMENDING THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND BURKE, WILLIAMS & SORENSEN, LLP, FOR LEGAL SERVICES IN CONNECTION WITH CASE TITLED CUMMINS V. THE CITY OF NATIONAL CITY – APPEAL BY INCREASING THE NOT-TO-EXCEED AMOUNT BY \$100,000 FOR A NEW TOTAL NOT-TO-EXCEED AMOUNT OF \$175,000.

WHEREAS, on May 7, 2024, the City of National City (“City”) entered into an agreement with Burke, Williams & Sorensen, LLP, to assist in representing the City in connection with litigation and government claims (the “Agreement”); and

WHEREAS, Burke, Williams & Sorensen, LLP, represents the City in the case titled *Cummins v. the City of National City – Appeal* and the scope of work includes post-trial motions and includes the appeal of the judgment; and

WHEREAS, the parties desire to amend the Agreement as it pertains to the case titled *Cummins v. the City of National City - Appeal* to cover the costs of providing an increased scope of services from the original amount of \$75,000 by \$100,000 for a new total not-to-exceed amount of \$175,000.

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

Section 1: Authorizes the execution of an amendment, attached as Exhibit A to the Agenda Report, to the May 7, 2024 Agreement between the City of National City and Burke, Williams & Sorensen, LLP, as it pertains to the case titled *Cummins v. the City of National City - Appeal* to cover the costs of providing an increased scope of services from the original amount of \$75,000 by \$100,000 for a new total not-to-exceed amount of \$175,000.

Section 2: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 19th day of August, 2025.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney