

HOUSING AUTHORITY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NO. **- 1513**

ADOPTED ON APR 19 2011

A RESOLUTION APPROVING AN AWARD OF A REVISED CONTRACT BETWEEN THE SAN DIEGO HOUSING COMMISSION AND CHRISTENSEN & SPATH LLP FOR LEGAL SERVICES AND AUTHORIZING EXECUTION OF AN AMENDMENT TO LEGAL SERVICES CONTRACT AND AMENDING THE BASE CONTRACT AMOUNT FOR FISCAL YEAR 2012 AND THEREAFTER.

WHEREAS, in May and June 2009, the San Diego Housing Commission (Commission) and Housing Authority of the City of San Diego (Authority) respectively approved the legal services contract between the Commission and Christensen & Spath LLP for a base contract amount of \$600,000 per year and authorized the President and Chief Executive Officer (CEO) to approve an increase of up to \$200,000 in any year for non-routine services needed, this right was reaffirmed by the Authority resolution in 2010; and

WHEREAS, in February 2011, the CEO approved an increase of \$200,000 in accordance with the terms of the prior authorizations by both the Commission and Authority bringing the total contract amount for Fiscal Year 2011 (FY2011) to the sum of \$800,000; and

WHEREAS, any further increase in the contract amount for the FY2011 period requires the approval of the Commission Board and the Authority; and

WHEREAS, the proposed contract revision is for an increase in the amount of \$250,000 to ensure funding for anticipated legal services for the balance of the fiscal year and would bring the annual amount for FY2011 to \$1,050,000; and

WHEREAS, the anticipated work to be performed includes extraordinary services in connection with the continued prosecution and defense of the Churchill litigation, including trial and appeals in the Court of Appeal, the refinancing of the Maya Apartments, the Courtyard Apartments and Mariner's Village; drafting documentation to acquire additional low-income properties; continued legal assistance concerning labor and personnel matters, additional legal services in connection with inclusionary projects, legal services in connection with the refinancing of Smart Corner Office Building and other litigation matters, as and when it arises; and

WHEREAS, the Board of the Commission has recommended at its March 2011 meeting, that the base amount of the legal services contract with Christensen & Spath for Fiscal Year 2012 (FY2012) and thereafter be increased to a not to exceed sum of \$800,000 per year from the current \$600,000 base amount and that the CEO continue to have the authority to increase the amended contract base amount by up to an additional \$200,000 per year for unanticipated legal issues, matters and services; NOW, THEREFORE,

BE IT RESOLVED, by the Housing Authority of the City of San Diego, that the Commission is authorized to award a contract revision to Christensen & Spath LLP for legal services in the amount of \$250,000 for FY2011; and

BE IT FURTHER RESOLVED, that the CEO of the Commission, or his designee, is authorized to execute the contract amendment with Christensen & Spath LLP for \$250,000 for FY2011 for continuing legal matters and items not anticipated in the original scope of work; and

BE IT FURTHER RESOLVED, that the Commission is authorized to revise the FY2011 budget and transfer funds from Commission contingency reserves to legal services; and

BE IT FURTHER RESOLVED, that the base amount of the not to exceed contract amount for the Christensen & Spath legal services contract for FY2012, and thereafter, is hereby increased from \$600,000 per year to \$800,000 per year and the CEO, or designee, is granted the authority to increase the amended base amount by up to an additional \$200,000, per year for FY2012, and thereafter, based upon unanticipated legal issues, matters and services; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its passage.

APPROVED: JAN I. GOLDSMITH, General Counsel

By



Andrea Contreras Dixon  
Deputy General Counsel

ACD:cw

04/01/11

Or.Dept:San Diego Housing Commission

PL#2011-06284

Passed and adopted by the Housing Authority of the City of San Diego on April 19, 2011 by the following vote:

	Yeas	Nays	Excused	Not Present
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AUTHENTICATED BY:**

Anthony Young

Chair of the Housing Authority  
of the City of San Diego, California

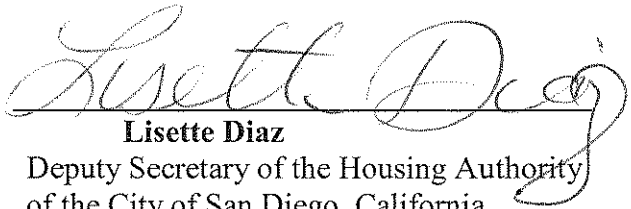
[seal]

Richard C. Gentry

Executive Director of the Housing Authority  
of the City of San Diego, California

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of  
RESOLUTION NO. 1513 passed and adopted by the Housing Authority of the City of San  
Diego, California on April 19, 2011.

By:

  
**Lisette Diaz**  
Deputy Secretary of the Housing Authority  
of the City of San Diego, California