

RESOLUTION NO. 2023-181

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE FOURTH AMENDMENT
TO THE LEGAL SERVICES AGREEMENT FOR LEGAL
SERVICES RELATED TO GAMING OPERATIONS BETWEEN
THE CITY AND COLANTUONO, HIGHSMITH & WHATLEY,
PC

WHEREAS, the City previously entered into a legal services agreement with Colantuono, Highsmith & Whatley, PC, on June 9, 2022, to provide legal services related to local authority for gaming operations (“Legal Services Agreement”); and

WHEREAS, Section 1 of the Legal Services Agreement provides that the term of the agreement shall continue for one year after the effective date and then may be extended for up to five one-year increments; and

WHEREAS, Section 3.1 of the Legal Services Agreement provided that Colantuono, Highsmith & Whatley, PC’s compensation shall not exceed \$10,000; and

WHEREAS, City subsequently entered into first amendment to the Legal Services Agreement to amend Section 3.1 to increase the not to exceed amount of compensation to \$40,000, a second amendment to the Legal Services Agreement to amend Section 3.1 to increase the not to exceed amount of compensation to \$50,000; and a third amendment to the Legal Services Agreement to amend Section 3.1 to increase the not to exceed amount of compensation to \$65,000; and

WHEREAS, there is a continued need for legal services related to local authority for gaming operations, extending beyond the initial one-year term and resulting in additional costs; and


WHEREAS, staff therefore recommends approving the Fourth Amendment to the Legal Services Agreement, exercising the first of five options to extend the agreement for one year through June 8, 2024, and increasing the not-to-exceed compensation amount from \$65,000 to \$100,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Fourth Amendment to the Legal Services Agreement for legal services related to local authority for gaming operations, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk; and authorizes and directs the City Attorney to execute same.

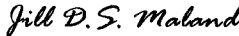
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Presented by

DocuSigned by:

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Eric C. Crockett
Deputy City Manager/Director of Economic
Development

Approved as to form by

DocuSigned by:

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Jill D.S. Maland
Lounsbury Ferguson Altona & Peak
Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 14th day of November 2023 by the following vote:

AYES: Councilmembers: Chavez, Gonzalez, Preciado, and McCann

NAYS: Councilmembers: None

ABSENT: Councilmembers: Cardenas

DocuSigned by:

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John McCann, Mayor

ATTEST:

DocuSigned by:

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Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2023-181 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 14th day of November 2023.

Executed this 14th day of November 2023.

DocuSigned by:

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Kerry K. Bigelow, MMC, City Clerk