

RESOLUTION NUMBER R- 260034

Adopted on JAN 30 1984

WHEREAS, Alvarado Creek overflowed on or about February 20, 1980, causing the flooding of the Mission Office Park and business premises in an amount alleged to be in the area of \$1.75 million; and

WHEREAS, litigation against The City of San Diego has been instituted by tenants so affected, with 17 separate cases having been consolidated for trial; and

WHEREAS, the litigation is and will be protracted and involves complex factual and legal issues; and

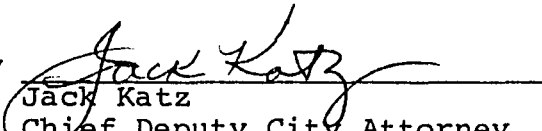
WHEREAS, the City Attorney has recommended that private legal counsel be retained to defend the City in this case in order to provide sufficient legal expertise on the City's behalf and provide the attention and effort deemed necessary for proper defense; and

WHEREAS, in Closed Session on January 10, 1984, the City Council unanimously approved said recommendation to retain outside counsel for the defense of the City; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Auditor and Comptroller be and he is hereby authorized to transfer the sum of twenty thousand dollars (\$20,000) within Fund 100 from the Unallocated Reserve (605) to the Allocated Reserve (901) for the sole and exclusive purpose of providing funds for the payment of attorney's fees to private

legal counsel, as billed, for services rendered in the defense
of the case Ektelon v. City of San Diego, et al., and
consolidated cases, Superior Court No. 464215.

APPROVED: John W. Witt, City Attorney

By 
Jack Katz
Chief Deputy City Attorney

JK:smm
1/26/84
Aud.Cert: 84575
R-84-1207
Or.Dept:Atty
Form=r.none

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC 84575

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 20,000.00 Fund 100
 Purpose Authorizing transfer of funds from Unallocated Reserve to the Allocated Reserve for paying outside counsel to defend the City of San Diego

[Signature]
 Auditor and Comptroller
[Signature]
 Theresa S. Robinson

Date January 26, 19 84

By _____

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			605	100	4947	60531				\$20,000.00
TOTAL AMOUNT										\$20,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to exceed \$ _____ Auditor and Comptroller

Dated _____, 19 _____ BY _____

PURPOSE _____

VENDOR _____

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

JAN 30 1984

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Maybell L. Portocarrero*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **260034** Adopted **JAN 30 1984**

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CITY ELECTRIC SERVICE

1984 JAN 26 AM 2:22

SAN DIEGO, CALIF.

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JAN 30 1984

JAN 20 1984

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