

(R-85-343)

RESOLUTION NUMBER R- 261501

ADOPTED ON SEP 10 1984

WHEREAS, the City Council, by Resolution No. 260034 dated January 30, 1984, authorized the City Attorney to hire outside legal counsel and pay for services rendered as billed in the defense of the case Ektelon v. City of San Diego, et al., and consolidated cases, Superior Court No. 464215; and

WHEREAS, the Council authorized funds to be set aside from the Unallocated Reserve for the above purpose to pay for continuing private attorney's fees by said Resolution; and

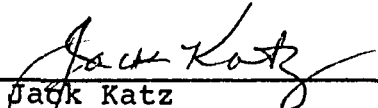
WHEREAS, the original allocation of funds is estimated to be expended prior to the trial of said litigation; and

WHEREAS, in Closed Session on August 21, 1984, the Council authorized augmentation of Resolution No. 260034 to provide additional funds for private attorney's fees to continue the defense of said litigation; 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 (\$20,000.00) 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:js:Lit  
08/23/84  
Or.Dept:Atty.  
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R-85-343  
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01638

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATION OF UNALLOTTED BALANCE AC 85217

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 - General Fund  
 Purpose Authorizing transfer of funds from the Unallocated Reserve to the Allocated Reserve (901) to provide funds for outside legal counsel in the defense of Ektelon v. City of San Diego, Superior Court No. 464215

*[Signature]*  
 Auditor and Comptroller  
 By *Miriam S. Robinson*

Date August 23, 19 84

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			605	100	4903	60531				\$20,000.00
TOTAL AMOUNT										\$20,000.00
FUND OVERRIDE <input type="checkbox"/>										

**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 <input type="checkbox"/>										

Passed and adopted by the Council of The City of San Diego on SEP 10 1984,  
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Struiksma	<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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-261501</u>	Adopted <u>SEP 10 1984</u>

RECEIVED  
CITY CLERK'S OFFICE  
1984 AUG 28 PM 3:56  
SAN DIEGO, CALIF.

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