

(R-90-759)

RESOLUTION NUMBER R- 274741

ADOPTED ON NOV 20 1989

WHEREAS, Council Resolution No. R-272785 authorized the retention of of PEPPER, HAMILTON & SCHEETZ, to assist in the defense of the case Ogden Environmental Services, Inc. v. City of San Diego, et al.; and

WHEREAS, a judgment entered as a result of stipulation in the case of Ogden Environmental Services, Inc. v. City of San Diego, et al. was approved by Council Resolution No. R-273371, dated May 2, 1989; and

WHEREAS, it is now necessary and appropriate to satisfy outside legal costs incurred by the City in favor of the firm of Pepper, Hamilton & Scheetz; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized to pay the sum of \$44,492.50 from Non-Departmental Expenditures (601) for outside legal services in the case of Ogden Environmental Services, Inc. v. City of San Diego, et al., Federal District Court Case No. 88-02520-K(M).

BE IT FURTHER RESOLVED, that the Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of

\$44,492.50 payable to Pepper, Hamilton & Scheetz, 444 South
Flower Street, Los Angeles, California 90071.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz
Jack Katz
Senior Chief Deputy

JK:smm
11/06/89
Or.Dept:Risk.Mgmt.
Aud.Cert:9000418
R-90-759
Form=r.none

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9000418

ORIGINATING DEPT. NO.: 084

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 \$ _____ Fund _____

Purpose _____

Date _____, 19____

By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

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

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 \$ 44,492.50

Vendor Pepper, Hamilton & Scheetz

Purpose Authorizing the expenditure of funds for payment of Legal Consultant Services,

Case of Ogden Environmental Services, Inc. City File: LP88-0065-5292.

Date October 25, 1989

By: *Kimberly Rice*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		100	601	106	4141	60106				\$44,492.50
TOTAL AMOUNT										\$44,492.50

FUND OVERRIDE

NOV 20 1989

2-274741

AC 9000418

Passed and adopted by the Council of The City of San Diego on NOV 20 1989,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Jana Martin, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-274741</u>	Adopted <u>NOV 20 1989</u>

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CITY CLERKS OFFICE
SAN DIEGO, CA

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