

(R-91-1838)

RESOLUTION NUMBER R- 277907

ADOPTED ON MAY 13 1991

WHEREAS, the City Employees' Retirement System Board of Administration is responsible for administering funds of the System; and

WHEREAS, the federal government, by and through the Internal Revenue Service, promulgates regulations to govern the taxable status of benefits, including retirement; and

WHEREAS, the matter of taxable status is of extreme importance to the City of San Diego and its employees; and

WHEREAS, the Board requires special legal expertise in tax law to render appropriate legal advice in matters of retirement and associated employee benefits; and

WHEREAS, the City Attorney's office serves as legal counsel to the board but does not have the required tax specialization on staff; and

WHEREAS, it is necessary and desirable to employ outside counsel with tax law expertise to provide such specialized advice and support as may be required by the City Attorney, with payment therefor to come from the retirement system; NOW, THEREFORE,


BE IT RESOLVED, by the Council of The City of San Diego, that the City Attorney be and he is hereby authorized and empowered to execute an agreement with the firm of **Orrick, Herrington and Sutcliffe** for legal consultant services in the area of taxation on a requirement basis, pursuant to the terms and conditions of the agreement on file in the office of the City

Clerk as Document No. RR-277907.

BE IT FURTHER RESOLVED, that the expenditure of a sum not to exceed \$30,000 for such outside legal services from Department 60011, Organization 100, Object Account 4151, be and the same is hereby authorized.

APPROVED: JOHN W. WITT, City Attorney

By

  
\_\_\_\_\_  
Jack Katz  
Senior Chief Deputy

JK:js  
04/30/91  
Or.Dept:Retire.  
Aud.Cert:  
R-91-1838  
Form=r-t  
Aud.Cert.:9100849

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

CERTIFICATE OF UNALLOTTED BALANCE      AC 9100849

ORIGINATING DEPT. NO.: 088

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 \$ 30,000.00      Fund 60011

Purpose Authorizing the expenditure of funds for legal consultant services in regard to Federal Tax Law.

Date May 1, 19 91

By: *Maie Sheeha*  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	60011	088	100	4151	000088				\$30,000.00
TOTAL AMOUNT										\$30,000.00

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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

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

MAY 13 1991

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

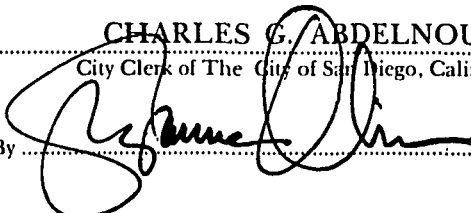
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<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"/>
Tom Behr	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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  Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-277907** MAY 13 1991  
 Number ..... Adopted.....