

(R-92-200)

RESOLUTION NUMBER R- 278507
ADOPTED ON AUG 05 1991

WHEREAS, the City Council in closed session, authorized retention of the firm of Sheppard, Mullin, Richter and Hampton to assist in defense of claims and litigation filed by Robert Spaulding and Susan Bray; and

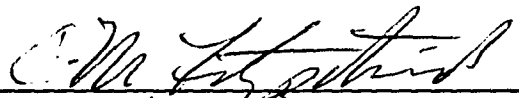
WHEREAS, the Council also authorized expenditure of funds for that purpose; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Attorney be and he is hereby authorized to retain the law firm of SHEPPARD, MULLIN, RICHTER & HAMPTON as counsel for certain legal matters involving the Spaulding-Bray claims and litigation, pursuant to the terms and conditions of the July 23, 1991 Letter Agreement on the matter, a copy of which is on file in the office of the City Clerk as Document No. RR-278507.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller be and he is hereby authorized to set aside and expend an amount not to exceed \$50,000 from Nondepartmental Expenditures (601),

Claims Program (106) solely and exclusively for the purpose of defraying legal fees and costs incurred by counsel.

APPROVED: JOHN W. WITT, City Attorney

By 
C. M. Fitzpatrick
Assistant City Attorney

CMF:js
08/1/91
Or.Dept:Atty.
Aud.Cert:9200088
R-92-200
Form=r-t

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200088

ORIGINATING DEPT. NO.: 045

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 \$ 50,000.00

Vendor Sheppard, Mullin, Richter & Hampton

Purpose Authorizing the expenditure of funds for the retention of Special Counsel to assist in the defense of Spaulding - Bray Claims.

Date July 31, 19 91 By: *Amy R. DeBeck*

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	100	601	106	4825	601061				\$50,000.00
TOTAL AMOUNT										\$50,000.00

FUND OVERRIDE

#412 *AK*

AUG 0 5 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

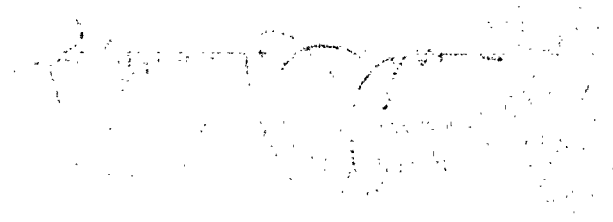
By *[Signature]* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-278507** Adopted **AUG 0 5 1991**

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PLANO - 0 41 9: 21