

(R-93-1839)

RESOLUTION NUMBER R- 282158

ADOPTED ON JUN 14 1993

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

WHEREAS, the Board, pursuant to said guidelines, invests funds in various investment media for payment of such benefits; and

WHEREAS, the Board seeks to invest in multi-family residential properties with co-investors; and

WHEREAS, the Board requires special legal expertise in matters concerning real estate transactions involving multi-family residential investments with co-investors; and

WHEREAS, the City Attorney's office serves as legal counsel to the Board but does not have the required specialized legal expertise on staff concerning real estate transactions involving multi-family residential investments with co-investors; and

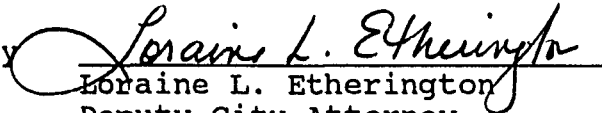
WHEREAS, it is necessary and desirable to employ outside counsel with real estate law expertise to provide such specialized advice and support as may be required by the City Attorney, with payment therefor to come from the retirement system; NOW, THEREFORE,

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 HILLYER & IRWIN for legal consultant services in the area of real estate

transactions involving multi-family residential investments with co-investors 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-282158.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$20,000 from fund 60011/088, is hereby authorized, solely and exclusively for the purpose of providing funds for the execution of the above agreement.

APPROVED: JOHN W. WITT, City Attorney

By 
Lorraine L. Etherington
Deputy City Attorney

LLE:mrh
05/17/93
Aud.Cert:94000003
Or.Dept:Retire.
R-93-1839
Form=r.auagr

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTRROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9400003

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 _____ By: _____

AUDITOR AND COMPTRROLLER'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 money 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 \$ 20,000.00

Vendor Hillyer & Irwin

Purpose Authorizing expenditure of funds for legal services for the Retirement Board of Administration.

Date May 14, 1993 By: *Leolia San Pedro*

AUDITOR AND COMPTRROLLER'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 | | | | \$20,000.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$20,000.00 |

AC-361 (REV 2-92)

R 282158

JUN 14 1993

FUND OVERRIDE

*CONTINGENT UPON APPROVAL OF FY94 APPROPRIATION

AC 9400003

5403
130

Passed and adopted by the Council of The City of San Diego on JUN 14 1993,
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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| George Stevens | <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"/> |
| Valerie Stallings | <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"/> |
| Juan Vargas | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Susan Golding | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

By Linda Ferguson, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-282158 Adopted JUN 14 1993

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SAN DIEGO, CA