

RESOLUTION NUMBER R- 284762

ADOPTED ON OCT 11 1994

WHEREAS, in Closed Session on September 13, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 6, 7, 8; Nays, none; Not Present, District 3; Ineligible, Mayor; authorized the retention of the law firm of Higgs, Fletcher & Mack to represent the City in the defense of litigation in the case, Solar Turbines Incorporated v. Navistar International Transportation Corp., et al. v. City of San Diego, et al., United States District Court Case No. 921612 GT (BTM), and

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

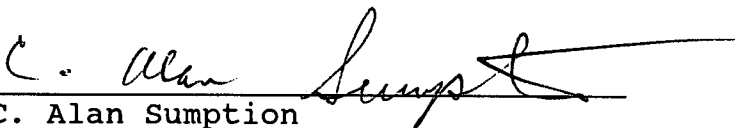
BE IT RESOLVED, by the Council of The City of San Diego that the City Manager be and he is hereby authorized to retain the law firm of Higgs, Fletcher & Mack as counsel representing the City in the case of Solar Turbines Incorporated v. Navistar International Transportation Corp., et al. v. City of San Diego, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to set aside and expend an amount not to exceed \$150,000.00 for the purpose

of paying legal fees and costs incurred by counsel in
representing The City of San Diego.

APPROVED: John W. Witt, City Attorney

By



C. Alan Sumption
Senior Chief Deputy City Attorney

CAS:ds:Lit.
9/14/94
Aud.Cert:
Or.Dept:Atty
R-95-472
Form=r.claim1

R-284762

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9500346

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 _____ 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 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 \$ _____ 150,000

Vendor _____ HIGGS, FLETCHER AND MACK

Purpose _____ Authorizing the expenditure of funds in the defense of litigation in Solar Turbines Inc. v. Navistar

_____ International Transportation Corp., et al. v. City of San Diego, et al.

Date _____ 09-20-94 By: *Eid A. Fakhour*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
001	0	81140	81140		4141	081141				\$150,000.00
TOTAL AMOUNT										\$150,000.00

FUND OVERRIDE

OCT 11 1994 *R-284762*

AC 9500346