

(R-95-1415)

RESOLUTION NUMBER R- 285574

ADOPTED ON APR 10 1995

WHEREAS, in Closed Session on March 28, 1995, the City Council, by the following vote: Yeas, Mayor, Districts 1, 2, 3, 4, 5, 6, 7 and 8 authorized the expenditure of \$40,000 for additional attorney fees and approved the San Diego Gas and Electric Company ("SDG&E") Settlement Agreement for underpayment of franchise fees.

WHEREAS, the Council previously authorized on August 8, 1994 the expenditure of \$25,000 for attorney fees and cost for the pursuit of recovery of monies owed by SDG&E; NOW, THEREFORE

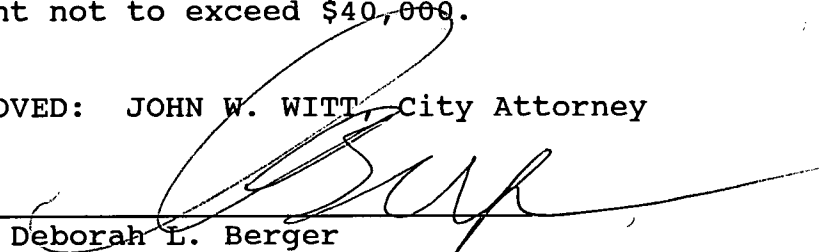
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized to expend an additional \$40,000 for attorney fees and costs.

BE IT RESOLVED, that the City Manager be and he is hereby authorized to execute the Settlement Agreement between the City and SDG&E, filed with the City Clerk as Document #~~R-285574~~.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller be and he is hereby authorized to set aside and expend a total amount not to exceed \$40,000.

APPROVED: JOHN W. WITT, City Attorney

By


Deborah L. Berger
Deputy City Attorney

DLB:dll
03/29/95
Or.Dept:Mgr
Aud.Cert:
R-95-1415
Form=r-t

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9500998

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 \$ 40,000.00

Vendor ALVARADO, SMITH, WOLFF & SANCHEZ AND BAKER & MCKENZIE

Purpose AUTHORIZING EXPENDITURE OF FUNDS FOR OUTSIDE COUNSEL AND ATTORNEY FEES TO HANDLE LITIGATION OF THE CITY OF SAN DIEGO VS. SAN DIEGO GAS & ELECTRIC CO.

Date MARCH 29, 1995 By: *Carol O'Hanlon*

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		4151	081141				\$40,000.00
TOTAL AMOUNT										\$40,000.00

FUND OVERRIDE

AC 9500998

R-285574

APR 10 1995