

(R-97-627)


RESOLUTION NUMBER R-288152

ADOPTED ON DECEMBER 3, 1996

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to waive Council Policy No. 300-7 and retain Thomas R. Laube, Esq. of Procopio, Hargreaves and Savitch Law Firm on a 40% contingency for Fiscal Year 1997 and up to \$125,000.00 for all costs to pursue litigation for construction defects in the Alvarado Filtration Laboratory.

APPROVED: CASEY GWINN, City Attorney

By

  
\_\_\_\_\_  
Keri G. Katz  
Deputy City Attorney

KGK:kjk:Civ.

12/3/96

Aud.Cert:9700547

Or.Dept:Water Dept. & MWW Dept.

R-97-627

Form=r.claim2

L:\KATZ\ALVARADO\RESO.WPD

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

CS-1  
12/3/96

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9700547  
ORIGINATING DEPT. NO.: 760, 772, 774

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 \$ 125,000.00

Vendor Procopio, Cory, Hargreaves and Savitch

Purpose Authorizing the expenditure of funds for litigation costs associated with the filing of a lawsuit by


Vendor on behalf of the City of San Diego regarding the Alvarado Filtration Laboratory.

Date December 3, 1996 By: 

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	41508	772	302	4221	1308				\$31,250.00
2	0	41506	774	702	4221	1221				31,250.00
3	0	41500	760	1404	4221	4252				62,500.00
TOTAL AMOUNT										\$125,000.00

FUND OVERRIDE

 288152

DEC 03 1996

AC 9700547