

RESOLUTION NUMBER R- 291178

ADOPTED ON JAN 19 1999

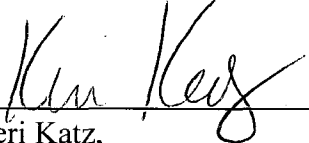
WHEREAS, in Closed Session on November 24, 1998, the City Council, by an unanimous vote, approved the following; NOW, THEREFORE,

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 retain McAtee and Harmeyer, LLP, and others for legal services and costs in an amount up to \$250,000 to pursue litigation against Group Delta Consultants and Baldwin Construction Company.

BE IT FURTHER RESOLVED, that the expenditure of up to \$250,000 from the Public Liability Fund is hereby authorized for legal and expert services and costs.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue various checks not to exceed \$250,000 made payable to McAtee and Harmeyer for legal fees and costs.

APPROVED: CASEY GWINN, City Attorney

By 
Keri Katz,
Deputy City Attorney

KGK:kjk:Civ.
December 1, 1998
Aud.Cert:
Or.Dept:Risk Mgmt.
R-99-676
Form=claimr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9900629
ORIGINATING DEPT. NO.: 81140

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 250,000.00 Fund 81140

Purpose Authorizing Retention of Outside Counsel and Payment for Legal Services in the Litigation Matter of Friars Formation Slope Repair (Genoa Drive) City File #LP98-0534-3969

Date December 04, 1998 By: Nadine Krawietz
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		4824	081141				\$250,000.00
TOTAL AMOUNT										\$250,000.00

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 \$ _____

Vendor _____

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