

(R-2005-204)

RESOLUTION NUMBER R- 299693

ADOPTED ON SEP 27 2004

WHEREAS, the City of San Diego previously retained the law firm of Vinson & Elkins (“V&E”) to provide services related to the representation of the City at the Securities & Exchange Commission (“SEC”) in the SEC’s investigation into certain City financial matters, and to prepare an internal report (“Report”) on the City’s securities disclosure practices from 1996 through the present; and

WHEREAS, the contract is currently in an amount not to exceed \$1.3 million; and

WHEREAS, additional contract authorization is necessary and appropriate to permit V&E to complete the Report and continue the representation before the SEC; NOW
THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is hereby authorized and directed to execute an amendment to the retention agreement with V&E for an additional amount not to exceed \$700,000, for a total contract amount not to exceed \$2.0 million.

APPROVED: CASEY GWINN, City Attorney

By


Leslie J. Girard

Assistant City Attorney

LJG:km
08/24/04
Or.Dept:Atty.
R-2005-204
Form=r-t.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2500255

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 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: \$700,000.00

Vendor: Vinson & Elkins

Purpose: Authorizing an amendment to the retention agreement between the City of San Diego and Vinson & Elkins, in an amount not to exceed an additional \$700,000.00, for legal services related to representing the City before the Securities & Exchange Commission and preparing an internal report on disclosure practices, for a total contract amount not to exceed \$2,000,000.00.

Date: September 13, 2004

By: Leonard J. Alfuentes
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	82240		4141	082240				\$700,000.00
TOTAL AMOUNT										\$700,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2500255

R 299693

SEP 27 2004