

RESOLUTION NUMBER R- 300093

ADOPTED ON JAN 31 2005

BE IT RESOLVED, by the Council of the City of San Diego that this City Council authorizes the City Attorney to execute agreements with one or more lawyers or law firms to provide representation to any past and present City officials and employees related to their participation in interviews or proceedings, including compliance with subpoenas served on any past or present City officials and employees, related to the investigation by the United States Attorney's Office and the Federal Bureau of Investigation.

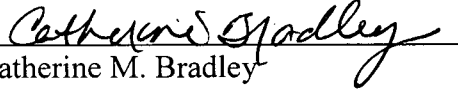
BE IT FURTHER RESOLVED, that the Council authorizes the expenditure of an amount not to exceed \$75,000, from Fund No. 81140, for the purpose of paying attorney's fees for the representation of any past and present officials and employees related to the interviews and proceedings described above, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the authorization for the above attorney's fees is to be suspended if criminal charges are brought against any such past or present official or employee, and that the City shall reserve its right to terminate the payment of fees and seek

reimbursement of fees paid in the event that criminal charges are brought against any official or employee, or if a conviction is obtained.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Catherine M. Bradley
Deputy City Attorney

CMB:jab
1/18/2005
Or.Dept:Atty.
Aud.Cert: 2500664
R-2005-736

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2500664

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: \$75,000.00 Fund: 81140

Purpose: Authorizing the expenditure for the purpose of paying Attorney's fees for the representation of any past or present City Officials related to the investigations by the USAO and the FBI, in an amount not to exceed \$75,000.

Date: January 14, 2005

By: Leonard J. Alperente
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				\$75,000.00
TOTAL AMOUNT										\$75,000.00

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										

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2500664

R- 300093

JAN 31 2005