

RESOLUTION NUMBER R-300645

ADOPTED ON JUNE 28, 2005

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, additional investigative services are now required to facilitate the completion of the audit of the City's FY 2003 basic financial statements; and

WHEREAS, additional contract authorization is necessary and appropriate to permit V&E to perform the additional investigation and to continue to provide representation of the City before the SEC; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized and directed to execute a third amendment to the retention agreement with V&E for an additional amount not to exceed \$1,800,000 for services related to the conduct of additional investigation concerning the City's FY 2003 basic financial statements, and for continued representation before the SEC.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$1,085,040 from Fund No. 81140, Dept. No. 82240, Object Account No. 4151, Job Order No. 082240; \$451,620 from Fund No. 41506, Dept. No. 776, Org. No. 445, Object Account No.

4151, Job Order No. 776260; and \$263,340 from Fund No. 41500, Dept. No. 760, Org. No. 163, Object Account No. 4151, Job Order No. 000163 is hereby authorized, solely and exclusively for the purpose of providing funds for the above agreements.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Stephanie Rahlfs
Stephanie Rahlfs
Deputy City Attorney

SR:jb
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Or.Dept:Fin.Mgmt.
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