

RESOLUTION NUMBER R- 300649

ADOPTED ON JUN 28 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO AUTHORIZING ADDITIONAL FUNDS FOR OUTSIDE
LEGAL COUNSEL FOR INDIVIDUAL CITY EMPLOYEES
AND CITY OFFICIALS RELATING TO THE FINANCIAL
DISCLOSURES AND PENSION INVESTIGATION

WHEREAS, the Council of the City of San Diego previously authorized \$675,000 in total to pay for attorney's fees to one or more law firms to provide independent representation to past and present City employees related to the investigations involving financial disclosures and pension benefits by the Securities and Exchange Commission and the U.S. Attorney's Office;

WHEREAS these investigations are continuing by state and federal agencies;

BE IT RESOLVED, that the Council authorizes the additional expenditure of an amount not to exceed \$350,000 for the purpose of paying attorney's fees incurred in Fiscal year 2005 for the representation of any past and present City employee related to the investigations 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 City employee, and

that the City shall reserve its right to immediately 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 

Maria Severson
Deputy City Attorney

MS:ai
06/20/05
Or.Dept:CA
R-2005-1362

 300649

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2501122

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: \$350,000.00

Vendor: N/A

Purpose: To authorize the expenditure for matter of Attorney's fees for the City of San Diego Employees (past or present) relating to the Financial Disclosures and Pension Investigations.

Date: June 23, 2005 By: Andrea Kishi

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		4151	082240					\$210,980.00
002	0	41506	776	455	4151	776260					\$87,815.00
003	0	41500	760	163	4151	000163					\$51,205.00
TOTAL AMOUNT											\$350,000.00

FUND OVERRIDE

R. 300649

JUN 28 2005

AC 2501122