

RESOLUTION NUMBER R- 300947

ADOPTED ON OCT 18 2005

WHEREAS, the City needs outside legal counsel to represent the City and certain City officials and employees in the case *Sainz v. City of San Diego, et al.*, San Diego Superior Court case No. GIC 852776; and

WHEREAS, Paul Plevin, LLP, has provided similar services to the City in the past and has been identified as the firm best able to provide the necessary services within the required time frame; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to execute, for and behalf of said City, a Retainer Agreement for outside counsel services in the case *Sainz v. City of San Diego, et al.*

BE IT FURTHER RESOLVED, that it is proposed that the initial representation and associated legal costs be in an amount not to exceed \$250,000 from Liability Fund No. 81140, solely and exclusively for the purpose of providing funds for the above services.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Keri Katz

Assistant City Attorney

KK:km
9/27/05
10/5/05 COR.COPY
Or.Dept:Atty
R-2006-298

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600307

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: \$250,000.00

Vendor: Paul Plevin, LLP

Purpose: To authorize the retainer agreement with Paul Plevin, LLP, for legal services related to the litigation of Sainz v. City of San Diego, et al; in an amount not exceed \$250,000.

Date: October 18, 2005

By: *Andrea Krohn*
 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	3501	4141	081141				\$250,000.00
TOTAL AMOUNT										\$250,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2600307

R. 300947

OCT-18 2005