

RESOLUTION NUMBER 301070

ADOPTED ON NOV 28 2005

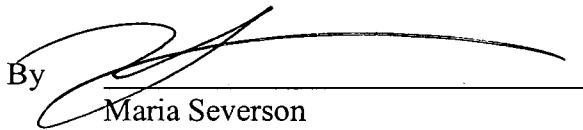
WHEREAS, City Manager authorized the retention of the law firm of Luce Forward Hamilton & Scripps for legal services related to the case *Clark v. City of San Diego*, Document No. C-13065, on file in the office of the City Clerk, for an amount not to exceed \$250,000; and

WHEREAS, the action has been settled, and the \$250,000 was not sufficient to pay the attorney fees necessary to defend the action; and

WHEREAS, all invoices have been submitted for payment and an additional sum of \$96,985.07 is necessary to pay the total amount due; NOW THEREFORE

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes the expenditure of an additional amount not to exceed \$96,985.07 for the final payment to the law firm of Luce Forward Hamilton & Scripps for attorney services rendered in the above referenced action.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 

Maria Severson
Deputy City Attorney

MS:ai
10/04/05
AC
Or.Dept:CityAtty
R-2006-330

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600409

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: \$96,985.07

Vendor: Luce Forward Hamilton & Scripps

Purpose: Authorizing the expenditure for additional attorney fees in the matter of Clark v. City of San Diego.

Date: November 16, 2005 By: _____
 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	4151	81141				\$96,985.07
TOTAL AMOUNT										\$96,985.07

FUND OVERRIDE

AC 2600409

AC-361 (REV 2-92)

R- 301070

NOV 28 2005