(R-2008-52) 1/30

RESOLUTION NUMBER R- 302892

DATE OF FINAL PASSAGE AUG 0 3 2007

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to continue the retention of Latham & Watkins, LLP, for an additional amount not to exceed \$1,245,000, to provide legal services in *Otay Acquisition v. City*, SDSC Case No. GIC 753247; *National Enterprises v. City*, SDSC Case No. GIC 730011; *Border Business Park, Inc. v. City*, SDSC Case No. GIC 692794; and *Insurance Co. of the State of Pennsylvania, et al. v. City of San Diego*, USDC Case No. 02 CV 0693.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to expend an amount not to exceed \$1,245,000 from the Public Liability Fund, solely, and exclusively for the purpose of providing funds for the above described legal services, contingent upon the City Auditor and Comptroller first furnishing one or more certificates demonstrating that the funds necessary for expenditures are, or will be, on deposit in the City Treasury.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Karen A. Heumann

**Assistant City Attorney** 

KAH:als 07/12/07

Or.Dept:City Atty. Aud.Cert:2800023

	ELIZABETH S. MALAND City Clerk  By Man Jumaya Deputy City Clerk
Approved: (date)	JERRY SANDERS, Mayor
Vetoed:(date)	JERRY SANDERS, Mayor

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

## CERTIFICATE OF UNALLOTTED BALANCE

AC	2800023	
DEPT. NO.:	45	

TOTAL AMOUNT  FUND OVE  CERTIFICATION OF UNENCUMBERED BALANCE  I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I of further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the sa now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation from which the same are to be drawn, and that the sa now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation to the same are to be drawn, and that the sa now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation to the same are to be drawn, and that the sa now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation to the same are to be drawn, and that the sa now actually in the Treasury, to the credit of said appropriation to the same are to be drawn, and that the sa now actually in the Treasury, to the credit of said appropriation of the same are to be drawn, and that the sa now actually in the Treasury, to the credit of said appropriation to the same are to be drawn, and that the same are to be drawn, and the Treasury of said contract are actually in the Treasury of said contract are actually in the Treasury of said contract are actually	CERTIFICATION OF U  REBY CERTIFY that the indebtedness and obligation esolution, can be incurred without the violation of any of tify, in conformity with the requirements of the Charter corpose of said contract, that sufficient moneys to mee	By: UNTING DATA  JOB ORDER  JNENCUMBI  In to be incurred the provision of the City of	OPERATION ACCOUNT  SERED BAIL  Tred by the ions of the	AUDITOR AND BENF/ EQUII TOTA  LANCE contract or Charter of ti	agreement he City of Sa	FUND OVERRIDE  authorized by the her
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