

(R-2008-803)

113

4/15

RESOLUTION NUMBER R- 303576

DATE OF FINAL PASSAGE APR 23 2008

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO CONTINUE THE RETENTION OF BROWN LAW GROUP IN AN AMOUNT UP TO \$35,000 TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE DEFENSE OF BEVIER AND PLATT V. CITY OF SAN DIEGO, AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO EXPEND RELATED FUNDS

WHEREAS, In May 2007, Council authorized the retention of Brown Law Group to defend the action against the City of San Diego in *Bevier and Platt v. City of San Diego*, San Diego Superior Court Case No. GIC874401; and

WHEREAS, the firm of Brown Law Group has the necessary skills and experience to assist the City in defense of this matter; and

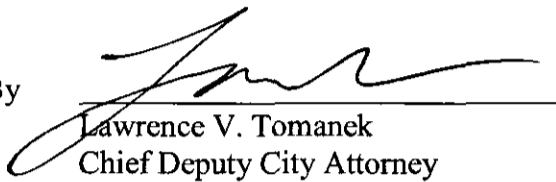
WHEREAS, the Council of the City of San Diego has been briefed on the status of this matter in a duly-noticed Closed Session meeting on February 25, 2008; and

WHEREAS, the Council determined to continue the retention of Brown Law Group to assist the City in defense of this matter; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to continue the retention of Brown Law Group for the provision of legal services in *Bevier and Platt v. City of San Diego*, San Diego Superior Court Case No. GIC874401, in an amount not to exceed \$35,000.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to expend up to \$35,000 from the Public Liability Fund.


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Lawrence V. Tomanek
Chief Deputy City Attorney

LVT:jdf
03/24/2008
Or.Dept:ATTY
R-2008-803

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 15 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-23-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2800625
DEPT. NO.: 45

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: \$35,000.00

Vendor: Brown Law Group

Purpose: Authorize continued retention, payment of invoices and future reserve funding for the Brown Law Group for legal services in Bevier & Platt v. City of San Diego. Authorize the City Auditor and Comptroller to allocate and expend \$35,000 from the Public Liability Fund. (81140)

Date: March 12, 2008 By: *Pam Walker* 3/12/08
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						\$35,000.00
TOTAL AMOUNT											\$35,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

R-303576

APR 15 2008 AC 2800625