RESOLUTION NUMBER R- 303929 DATE OF FINAL PASSAGE JUL 29 2008

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO CONTINUE THE AGREEMENT WITH LATHAM & WATKINS IN AN AMOUNT UP TO \$100,000 AND WITH WORLEY SCHWARTZ GARFIELD & PRAIRIE LLP IN AN AMOUNT UP TO \$20,000 TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE DEFENSE OF THE CITY IN THE CASE OF THE PEOPLE OF THE STATE OF CALIFORNIA AND THE CITY OF SAN DIEGO V. SUNROAD CENTRUM, L.P., SAN DIEGO SUPERIOR COURT CASE NO. GIC 877054 AND AUTHORIZING THE CITY

WHEREAS, the City of San Diego [City] previously retained the firm of Latham & Watkins to provide litigation and legal advisory in connection with the defense of the City in the case of *The People of the State of California and the City of San Diego v. Sunroad Centrum*, L.P., San Diego Superior Court Case No. GIC877054; and

COMPTROLLER TO EXPEND RELATED FUNDS.

WHEREAS, the City previously retained the firm of Worley Schwartz Garfield & Prairie

LLP (formerly known as Stephenson Worley Garratt Schwartz Garfield & Prairie [Worley

Schwartz] to represent the separate interests of two former city employees; and

WHEREAS, Latham & Watkins and Worley Schwartz have provided the legal support services requested by the City on an ongoing basis; and

WHEREAS, The City Council on February 5, 2008, voted in Closed Session on Item CS-2, City of San Diego v. Sunroad Enterprises, et al., San Diego Superior Court Case No. GIC 877054, additional authority for outside counsel (\$100,000 for Latham & Watkins and \$20,000 for Worley Schwartz). The motion was made by Councilmember Frye and the second by Council President Pro Tem Madaffer. The motion passed 7 to 0 with Councilmember Hueso absent; NOW THEREFORE,

BE IT RESOLVED, that the Council authorizes the continued retention of Latham & Watkins and authorizes the expenditure of an amount not to exceed \$100,000 for paying attorney's fees as described above.

BE IT RESOLVED, that the Council authorizes the continued retention of Worley Schwartz and authorizes the expenditure of an amount not to exceed \$20,000 for paying attorney's fees as described above.

BE IT FURTHER RESOLVED, that the Council authorizes the City Comptroller to allocate and expend \$120,000 from the Public Liability Fund.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

awrence V. Tomanek

Chief Deputy City Attorney

LVT:ca

July 2, 2008

Audit. Cert.: AC 2800924

Or.Dept: City Attorney

R-2009-17

I hereby certify that the foregoing San Diego, at this meeting of _	ing Resolution was	passed by the Council of the City of
•	* de la companya de l	
		ELIZABETH S. MALAND City Clerk
		By Cruy Deputy City Clerk
Approved: 7-14-07 (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

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DEPT.	
NO.:	45

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Date:						_ By:		AUDITOF	RANDC	OMPTROLLER	R'S DEPARTMENT	
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