

RESOLUTION NUMBER R- 305045

DATE OF FINAL PASSAGE JUL 21 2009

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO CONTINUE THE AGREEMENT WITH LATHAM & WATKINS LLP, FOR LEGAL SERVICES IN CONNECTION WITH *DE ANZA COVE HOMEOWNERS, INC. V. CITY OF SAN DIEGO, ET AL.*, SAN DIEGO SUPERIOR COURT CASE NO. GIC821191, INCLUDING AN ANALYSIS OF INSURANCE COVERAGE AS IT RELATES TO THE PARK PROPERTY.

WHEREAS, the City Attorney has contracted Kristine Wilkes, Esq., and the law firm of Latham & Watkins LLP, for legal services in connection with the ongoing litigation related to De Anza Harbor Resort's transition from a privately-operated mobile home to City-operated park [Park]. The litigation is entitled *De Anza Cove Homeowners, Inc. v. City of San Diego, et al.*, San Diego Superior Court Case No. GIC821191. The services provided by Latham & Watkins include the analysis of insurance coverage as relates to the Park property and the litigation, and

WHEREAS, this action seeks an amount not to exceed \$101,000 for retention of Latham & Watkins in the matter of De Anza Harbor and Resort litigation for purposes of insurance coverage analysis. NOW, THEREFORE;

BE IT RESOLVED that the City Comptroller is authorized and empowered to execute, for and on behalf of the City, an agreement with Latham & Watkins for the purposes of insurance coverage analysis, for an amount not to exceed \$101,000.00 from the Public Liability Fund 81140, solely, and exclusively for the purpose of providing funds for the above described legal services and litigation expenses.

BE IT FURTHER RESOLVED, that the Comptroller is authorized and empowered to appropriate up to \$101,000 from the Public Liability Fund 81140 to meet this obligation.

APPROVED: JAN I. GOLDSMITH, City Attorney

By David J. Karlin  
David J. Karlin  
Deputy City Attorney

DJK:aml  
06/15/2009  
Or.Dept:City Attorney  
R-2009-1299

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 7 2009.

ELIZABETH S. MALAND  
City Clerk

By Elizabeth S. Maland  
Deputy City Clerk

Approved: 7.21.09  
(date)

Jerry Sanders  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor