

305  
105

RESOLUTION NUMBER R- 305929  
DATE OF FINAL PASSAGE JUL 02 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE RETENTION AND  
PAYMENT OF FEES TO STOEL RIVES LLP FOR LEGAL  
SERVICES IN ENGLERT V. EPSTEIN, ET AL. IN THE SUM  
OF SEVENTY THOUSAND, ONE HUNDRED TWENTY FIVE  
DOLLARS AND FIVE CENTS

WHEREAS, in November 2009, Plaintiff and the City of San Diego entered into a  
settlement agreement which was approved by Mary Lewis. Outside counsel, Stoel Rives LLP,  
was hired as the case was filed in the State of Oregon.

BE IT RESOLVED, that the City Council has authorized retention and payment of fees  
to Stoel Rives LLP, for legal services in *Englert v. Epstein, et al.*, United States District Court,  
District of Oregon Case No. 05-1863-AA.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to  
appropriate and expend \$70,125.05 for this contract, contingent upon the Chief Financial Officer  
first furnishing one or more certificates certifying that the funds necessary for expenditure are, or  
will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Council is hereby authorized to pay the sum of \$70,125.05 from the Public Liability Fund No. 720045.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Eugene Gordon  
Eugene Gordon  
Deputy City Attorney

EG:slc  
6/08/2010  
Or.Dept: City Attorney  
CC 3000003337  
R-2010-902

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 22 2010.

ELIZABETH S. MALAND  
City Clerk

By Elizabeth Maland  
Deputy City Clerk

Approved: 7-2-10  
(date)

Jerry Sanders  
JERRY SANDERS, Mayor

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

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

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000003337  
DEPT. NO. \_\_\_\_\_

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: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original 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: \_\_\_\_\_ \$70,125.05

Vendor: Steel Rives, LLP

Purpose: Authorize retention and payment of fees to Steel Rives LLP, for legal services in Englert v. Epstein, et al., US District Court, District of Oregon Case No 05-1863-AA. Authorize the Chief Financial Officer to appropriate and expend \$70,125.05 for this contract. Source of funding is the Public Liability Fund. This certification expires on 6/30/2010 and requires Council approval prior to 6/30/10 to use FY10 funding.

Date: June 8, 2010 By: *Pam Hallist*

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
	720045				512042		1515000011		\$70,125.05
TOTAL AMOUNT									\$70,125.05

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000003337

*R* 305929

JUN 22 2010