

RESOLUTION NUMBER R- 307851

DATE OF FINAL PASSAGE NOV 28 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO AMEND THE AGREEMENT WITH ORRICK, HERRINGTON & SUTCLIFFE LLP TO PROVIDE ADDITIONAL FUNDING NECESSARY TO PROSECUTE THE JUDICIAL VALIDATION OF THE FORMATION OF THE CONVENTION CENTER FACILITIES DISTRICT.

WHEREAS, on May 7, 2012, the City Council approved Resolution No. R-307414, which, among other things, authorized the City Attorney to appoint Orrick, Herrington & Sutcliffe LLP (Orrick) to file and prosecute a judicial validation action on behalf of the City in relation to the formation of the Convention Center Facilities District (Validation Action); and

WHEREAS, the City Council authorized the expenditure of funds up to an amount of \$100,000 for fees and expenses related to the Validation Action; and

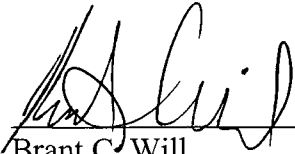
WHEREAS, due to the number of opposing parties and the issues being asserted in the Validation Action, Orrick estimates that an additional amount of up to \$100,000 may be necessary to bring the Validation Action through trial court judgment, which would not include any potential appeals; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor is authorized to amend the agreement with Orrick related to the Validation Action to increase the authorized amount by \$100,000 for a total authorization of \$200,000.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend up to a total amount of \$200,000 for Orrick to prosecute the Validation Action on behalf of the City, contingent upon the City Comptroller first furnishing one or more

certificates certifying that the funds necessary for such expenditures are, or will be, on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

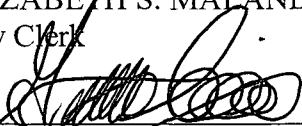
By 

Brant C. Will
Deputy City Attorney

BCW:jdf
11/2/2012
Or.Dept:FM
Doc. No.: 466880

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 11/27/12.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 11.28.12

(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor