RA Sten#2 Item / LA Witg 9/2/08 (RA-2009-11)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04322

DATE OF FINAL PASSAGE SEP 1 0 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AUTHORIZING THE SECOND AMENDMENT TO THE AGREEMENT WITH OPPER & VARCO LLC FOR LEGAL SERVICES.

WHEREAS, in May 2006, the Redevelopment Agency of the City of San Diego
[Agency] issued a Request for Qualifications for Legal Services seeking outside counsel with
specific expertise in the area of environmental law and hazardous substances liability; and

WHEREAS, in August 2006, the Agency and Legal Counsel entered into an Agreement for legal services in the area of environmental law and hazardous substances liability with total compensation in the amount of \$250,000.; and

WHEREAS, in March 2008 the Agency and Legal Counsel entered into a First Amendment to the Agreement to increase the compensation amount by \$200,000 for a maximum compensation of \$450,000; and

WHEREAS, the Agency wishes to provide additional funding for continued legal services provided by Legal Counsel for environmental law and hazardous substances liability through August, 2009; NOW, THEREFORE,

BE IT RESOLVED by the Redevelopment Agency of the City of San Diego as follows:

1. That the Second Amendment to the Agreement with Opper & Varco LLC is approved;

- 2. That the total compensation under the Second Amendment to the Agreement is increased by \$135,000 for a total compensation not to exceed \$585,000, provided the City Auditor first furnishes a certificate that funds are, or will be, on deposit in the City Treasury;
 - 3. That all other terms of the agreement remain unchanged.
- 4. That the Executive Director of the Agency, or designee, is authorized and empowered to execute the Second Amendment to the Agreement, for and on behalf of the Agency, and to administer the Agency's obligations, responsibilities, and duties to be performed under the agreement;

 D-04322
- 5. That this activity is not a "project" and is therefore exempt from the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines Section 15060(c)(3).

MICHAEL J. AGUIRRE, General Counsel

By

Huston Carlyle

Deputy General Counsel

HC:pev 08/04/08

Or.Dept:R.A.

Aud.Cert:2900125

RA-2009-11

MMS#6605

I hereby certify that the foregoing Resolution was City of San Diego, at its meeting ofSEP 0 2	passed by the Redevelopment Agency of the 2008
	REDEVELOPMENT AGENCY
	By Jeannette Santos, Deputy Secretary
Approved: 9-10.08 (date)	JERRY SANDERS, Executive Director
Vetoed:(date)	JERRY SANDERS, Executive Director

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900125 DEPT." NO.: 10275

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Date:		By: Francisco J Lopez AUDITOR AND COMPTROLLER'S DEPARTMENT										
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02	0	98200	9823	2001	4141	002001				50,000.00	
03	0	98050	9774	2001	4141	002001				5,000.00	
04	0	98070	98074	2001	4141	002001				15,000.00	
05	0	98300	98304	2001	4141	002001				10,000.00	
06	0	98500	97152	2001	4141	002001				5,000.00	
07	0	98250	982502	2001	4141	002001				15,000.00	
08	0	98570	98570	2001	4141	002001				15,000.00	
TOTAL AMOUNT									NT \$135,000.00		

AC-361 (REV 2-92)

FUND OVERRIDE

Passed by the Redevelopment Ager	ocy of The City	of San Diego on	SEP 0 220	008 , by th	10
following vote:		or our prego on _	Now travery	, o _y u	ic
Agency Members	Yeas	Nays	Not Present	Ineligible	
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Scott Peters	∀				
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AUTHENTICATED BY:	_	Executive Direct	JERRY SAN		fornia.
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(Seal)		Secretary of	f The City of San	Diego, Calitorni	a.
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Resolution Number

R-104322