

(R-92-904)

RESOLUTION NUMBER R- 279455

ADOPTED ON FEB 24 1992

BE IT RESOLVED, by the Council of The City of San Diego, that the firm of McCutcheon, Doyle, Brown & Enersen is hereby authorized and empowered to act as co-counsel for the second phase of Clean Water Program monitoring as provided in the Partial Consent Decree entered in U.S.A. v. The City of San Diego, U.S. District Court No. 88-1101-B, under the terms and conditions set forth in the letter agreement dated December 3, 1991, on file in the office of the City Clerk as Document No. RR- 279455.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$400,000.00 from the Clean Water Program Fund No. 41509, CIP 45-910.2, Clean Water Program Management and Administration, is hereby authorized, solely and exclusively to provide funds for such legal services.

BE IT FURTHER RESOLVED, that the City Manager is authorized to finance or refinance these services with tax exempt securities, if circumstances so warrant.

APPROVED: JOHN W. WITT, City Attorney

By Ted Bromfield
Ted Bromfield
Chief Deputy City Attorney

TB:mb
01/31/92
Aud.Cert:9200581
Or.Dept:Cl.Wtr.
R-92-904
Form=r.auagr

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200581

ORIGINATING DEPT. NO.: 700

I 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 _____, 19____

By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	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 moneys 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 \$ 400,000.00

Vendor McCutcheon, Doyle, Brown and Enersen

Purpose Authorizing the expenditure of funds for legal fees in the second phase of

U.S.A. v. City of San Diego.

Date January 28, 1992

By: *Cecilia San Pedro*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			700	7001	4141	190050				\$400,000.00
TOTAL AMOUNT										\$400,000.00

FUND OVERRIDE

R- 279455

FEB 24 1992

AC 9200581

Passed and adopted by the Council of The City of San Diego on **FEB 24 1992**
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *279455* Adopted **FEB 24 1992**

RECEIVED
92 FEB 12 PM 12:04
CITY CLERKS OFFICE
SAN DIEGO, CA