

RESOLUTION NUMBER R- 289144


ADOPTED ON SEP 08 1997

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to execute, for and on behalf of the City, an amendment to the agreement of November 15, 1995 with McCutchen, Doyle, Brown & Enersen, for continuing legal services in connection with U.S.A. v. City of San Diego, District Court No. 88-1101-B, City of San Diego v. City of Coronado, et al, Superior Court No. 690791, Surfrider Foundation v. City of San Diego, Fourth Court of Appeal No. D026312, and Save Our Bay, et al v. IBWC, et al, District Court No. 97-CV-0295-E, under terms and conditions set forth in the amendment letter dated August 22, 1997, on file in the office of the City Clerk as Document RR- 289144.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$375,000 from Clean Water Program Fund No. 41509, Department 777, Organization #445, Object Account 4222, is hereby authorized, solely and exclusively to provide funds for the above amendment.

BE IT FURTHER RESOLVED, that the City Manager is authorized to pay McCutchen, Doyle, Brown & Enersen Invoice #279294 in the amount of \$24,691.99 for legal services rendered relating to establishing the City's Multiple Species Conservation Program; and the City Auditor is authorized to issue one check in said amount to McCutchen, Doyle, Brown & Enersen, LLP.

APPROVED: CASEY GWINN, City Attorney

By 
Ted Bromfield
Deputy City Attorney

TB:mb
08/26/97
AC:9800056
9800227
Or.Dept:MWWD
R-98-53
Form=auagr.frm

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 9800227
ORIGINATING DEPT. NO.: 084

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 _____ 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 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 \$ 24,691.99

Vendor McCutchen, Doyle, Brown & Enerson, LLP.

Purpose Authorizing expenditure of funds for payment of attorney fees related to the Multiple Species

Conservation Program. City file #LP97-0130-4231

Date August 26, 1997 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	81140	81140		4141	081141				\$24,691.99
TOTAL AMOUNT										\$24,691.99

FUND OVERRIDE

R 289144

SEP 08 1997

AC 9800227