

RESOLUTION NUMBER R-296255

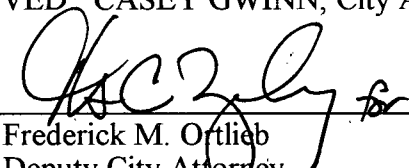
ADOPTED ON APRIL 2, 2002

WHEREAS, in Closed Session on April 2, 2002, the City Council, by the following vote: Yeas, Districts 1,2,3,4,5,6,7,8, and the Mayor; Nays, None; Not Present, None; approved the following transfer and expenditure of funds; NOW, THEREFORE,

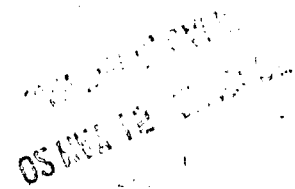
BE IT RESOLVED, by the Council of the City of San Diego, that the City Auditor and Comptroller is hereby authorized to transfer the amount of \$90,000 from funds as set forth in the attached Exhibit A Vendor Account, to funds as set forth in the attached Exhibit A Vendor Account Miller, Balis & O'Neil, solely and exclusively to provide funds for the legal services of Miller, Balis & O'Neil in connection with *City of San Diego v. Federal Energy Regulatory Commission*, U.S. Court of Appeal, Ninth Circuit No. 01-71544, *SDG&E v. California Public Utilities Commission*, California 4th Court of Appeal No. D038064, and *SDG&E v. Loretta Lynch, et al*, U.S. District Court, Southern District of California, Case No. 02 CV 339 BTM.

BE IT FURTHER RESOLVED, that the expenditure of an additional amount not to exceed \$90,000 from Vendor Account Miller, Balis & O'Neil, is hereby authorized, solely and exclusively to supplement the expenditure previously authorized for the legal services of Miller, Balis & O'Neil on November 2, 2000, by City Manager Action, Document No. C-10402.

APPROVED: CASEY GWINN, City Attorney

By  \_\_\_\_\_  
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mb  
05/14/02  
Aud.Cert:2201119  
Or.Dept:ESD  
R-2002-1306



TRANSFER OF FUNDING FROM MRW & ASSOCIATES  
 TO MILLER, BALIS & O'NEIL  
 FROM A/C NO. 2100387 TO A/C NO. 2201119

<u>Transfer Amount</u>	<u>Fund No.</u>	<u>Dept.</u>	<u>Org.</u>	<u>J.O.</u>
\$ 43,597.76	41509	777	445	5046
564.38	50030	820	302	8101
15,986.52	41500	760	504	50434
174.87	41400	730	2150	7310
4,591.15	10330	930	2052	205226
382.17	50010	810	2250	1501
242.28	50020	815	905	10001
21.96	302191	3220	2100	2100
146.28	41100	720	2050	1101
132.50	41100	720	2104	1101
144.32	41300	1300	9301	1113
405.25	41300	1300	9601	1113
177.28	41300	1300	9401	1113
205.74	41300	1300	9701	1113
141.20	41300	1300	9201	1113
119.96	41200	752	1100	2111
119.96	41200	751	1003	7201
119.96	41200	754	2100	3400
52.54	41200	751	1003	7301
52.54	41200	757	2201	5302
22,621.38	81140	81140	--	81140
<hr/>				
\$ 90,000.00				

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

**CERTIFICATE OF UNALLOTTED BALANCE**      AC 2201119

ORIGINATING  
DEPT. NO.: 45

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: \$90,000.00

Vendor: Miller, Balis & O'Neil

Purpose: Authorizing the transfer from AC 2100837, Vendor Account MRW & Associates, solely and exclusively to supplement the expenditure previously authorized for the legal services of Miller, Balis & O'Neil on November 2, 2000, by City Manager Action, Document No. C-10402

Date: May 14, 2002 By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41509	777	445	4141	5046				\$43,597.76
002	0	50030	820	302	4141	8101				564.38
003	0	41500	760	504	4141	50434				15,986.52
004	0	41400	730	2150	4141	7310				174.87
										Continue on next pg.

AC-361 (REV 2-92)

FUND OVERRIDE

**R-296255**

**APR 02 2002**

AC 2201119

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
005	0	10330	930	2052	4141	205226				4,591.15
006	0	50010	810	2250	4141	001501				382.17
007	0	50020	815	905	4141	010001				242.28
008	0	302191	3220	2100	4141	002100				21.96
009	0	41100	720	2050	4141	001101				146.28
010	0	41100	720	2104	4141	001101				132.50
011	0	41300	1300	9301	4141	001113				144.32
012	0	41300	1300	9601	4141	001113				405.25
013	0	41300	1300	9401	4141	001113				177.28
014	0	41300	1300	9701	4141	001113				205.74
015	0	41300	1300	9201	4141	001113				141.20
016	0	41200	752	1100	4141	002111				119.96
017	0	41200	751	1003	4141	007201				119.96
018	0	41200	754	210	4141	003400				119.96
019	0	41200	751	1003	4141	007301				52.54
020	0	41210	757	2201	4141	005302				52.54
021	0	81140	81140		4141	081140				22,621.38
TOTAL AMOUNT										\$ 90,000.00