

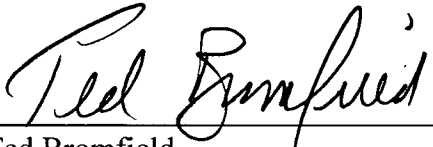
RESOLUTION NUMBER R-297550

ADOPTED ON JANUARY 14, 2003

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 revised retainer agreement dated November 20, 2000, with Bingham, McCutchen, LLP (formerly McCutchen, Doyle), for legal services in connection with 301(h) waiver matters and sewer spill claims, as set forth in detail in the letter agreement dated January 16, 2003, on file in the office of the City Clerk as Document Number RR-297550.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$250,000 from Fund No. 41509, Metro Wastewater Department Fiscal Year 2003 Operations & Maintenance Budget, Organization 445, Object Account 4151, Job Order 005040, is hereby authorized, solely and exclusively to provide funds for the above amended agreement.

APPROVED: CASEY GWINN, City Attorney

By 

Ted Bromfield
Senior Deputy City Attorney

TB:mb
11/25/02
01/22/03 Rev.
Aud.Cert:2300572 Rev.
Or.Dept:MWWD
No, MWD-2265
R-2003-736
Form=auagr.frm

mwd-2265

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2300572
DEPT. NO.: 777

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 \$ 350,000.00

Vendor Bingham, McCutchen, LLP

Purpose Authorizing the expenditure of funds for the Revised Retainer Agreement to provide outside counsel assistance in Clean Water matters.

Date November 15, 2002 By: *Ann Jones Santos*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	41509	777	445	4151	005040				\$350,000.00
TOTAL AMOUNT										\$350,000.00

FUND OVERRIDE