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5/26

ORDINANCE NUMBER O- 19866 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 2 2009

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT WITH SOMACH, SIMMONS & DUNN FOR THE PURPOSE OF EXTENDING A LEGAL SERVICES CONTRACT FOR AN ADDITIONAL FIVE YEARS.

WHEREAS, on December 9, 2002, by Resolution R-297484, the Council of the City of San Diego [City] adopted the Long-Range Water Resources Plan [LRWRP] to evaluate water supply alternatives for meeting the City's current and future water needs; and

WHEREAS, on April 20, 2004, City and Somach, Simmons & Dunn [Firm] entered into an Agreement for specialized legal services [Agreement] required by the Water Department to assist City in implementing the water resources strategy as recommended by the LRWRP; and

WHEREAS, during the term of the Agreement, City determined that it required Firm's services for an additional time period and therefore extended the term of the Agreement until March 31, 2009, by executing a First Amendment; and

WHEREAS, during the term of the Agreement extended by the First Amendment, City determined that it will require Firm's services for an additional time period and therefore desires to extend the term of the Agreement by five (5) years; NOW, THEREFORE:

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor or his designee is hereby authorized to execute a Second Amendment to the Agreement with Firm, on file in the Office of the City Clerk as Document No. 00 - 19866, for the purpose of extending the Agreement for five (5) years until March

31, 2014, and increasing the funding for the Agreement by an amount not to exceed \$200,000 from Water Department Fiscal Year 2009 Operating Budget, Water Fund 41500, Org. 8310.

Section 2. That the expenditure of an amount not to exceed \$200,000 from Water Department Fiscal Year 2009 Operating Budget, Water Fund 41500, Org. 8310, is authorized solely and exclusively for the purpose of providing funds for the Agreement, its amendments and related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

Section 3. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess funds, if necessary, to appropriate reserves.

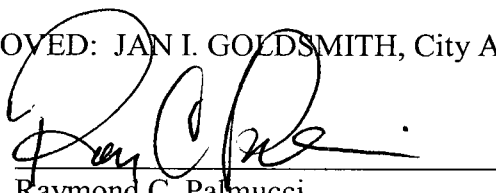
Section 4. That this activity is not a project and is therefore exempt from the California Environmental Quality Act [CEQA], pursuant to CEQA Guidelines Section 15030(c)(3).

Section 5. That a full reading of this Ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 6. That this Ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

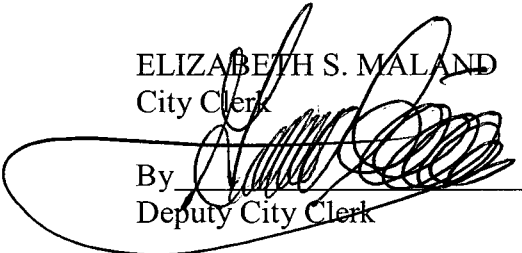
By


Raymond C. Palmucci
Deputy City Attorney

RCP:sc
03/23/09
Or.Dept:Water
O-2009-107

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 26 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6.2-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Passed by the Council of The City of San Diego on MAY 26 2009, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 2 2009

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By *Devenson Cruz* Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 12 2009

, and on JUN 2 2009

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By *Devenson Cruz*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 19866