

DRAFT

RESOLUTION 20xx-xxx

**RESOLUTION AUTHORIZING GENERAL
COUNSEL TO EXECUTE AMENDMENT NO. 4 TO
AGREEMENT WITH MURPHY & EVERTZ FOR
LEGAL SERVICES INCREASING THE NOT-TO-
EXCEED AMOUNT FROM \$490,000 TO \$940,000
AND AMENDMENT NO. 1 TO AGREEMENT WITH
WALDRON & ASSOCIATES FOR EXPERT LEGAL
SERVICES INCREASING THE NOT-TO-EXCEED
AMOUNT FROM \$150,000 TO \$360,000**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, the Office of the General Counsel is responsible for providing legal advice and representation to the Board of Port Commissioners, the CEO and executive team, as well as all departments of the District, including defending the District in litigation and administrative procedures, as well as advising the District on transactions, policies and other matters; and

WHEREAS, in order to best advise and defend the District, in addition to the in-house attorneys, the Office of the General Counsel sometimes utilizes the services of outside law firms to provide legal services in specific areas of law and to supplement the services of the in-house resources, and also often requires the use of expert witnesses and consultants; and

WHEREAS, the Office of the General Counsel recommends the Board authorize the General Counsel to execute amendments to two agreements, and the details regarding the specific matters for which these amendments are proposed are protected by the attorney/client and work product privileges.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, that the General Counsel is authorized to execute Amendment No. 4 to an agreement with Murphy & Evertz for legal services increasing the not-to-exceed amount from \$490,000 to \$940,000 and Amendment No. 1 to an agreement with Waldron & Associates for expert legal services increasing the not-to-exceed amount from \$150,000 to \$360,000.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 8th day of August, 2017, by the following vote: