

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 4 TO THE AGREEMENT FOR LEGAL SERVICES WITH ANDERSON KILL P.C. INCREASING THE MAXIMUM AMOUNT PAYABLE BY \$500,000 FROM \$700,000 TO \$1,200,000 AND EXTENDING THE TERM THROUGH DECEMBER 31, 2018, AND AMENDMENT NO. 3 TO THE AGREEMENT FOR LEGAL SERVICES WITH BROWN AND WINTERS INCREASING THE MAXIMUM AMOUNT PAYABLE BY \$325,000 FROM \$725,000 TO \$1,050,000 AND EXTENDING THE TERM THROUGH DECEMBER 31, 2018, AND AMENDMENT NO. 1 TO THE AGREEMENT FOR LEGAL SERVICES WITH BEST, BEST & KRIEGER INCREASING THE MAXIMUM AMOUNT PAYABLE BY \$106,100 FROM \$120,900 TO \$227,000; FY 2018 EXPENDITURES ARE BUDGETED

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

WHEREAS, the Office of the General Counsel recommends the Board authorize the General Counsel to execute amendments to two outside counsel 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

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is authorized to execute Amendment No. 4 to the Agreement for Legal Services with Anderson Kill P.C. increasing the maximum amount payable by \$500,000 from \$700,000 to \$1,200,000 and extending the term through December 31, 2018; and Amendment No. 3 to the Agreement for Legal Services with Brown & Winters increasing the maximum amount payable by \$325,000 from \$725,000 to \$1,050,000 and extending the term through December 31, 2018; and Amendment No. 1 to the Agreement for Legal Services with Best, Best & Krieger increasing the maximum amount payable by \$106,100 from \$120,900 to \$227,000.

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 6th day of February, 2018, by the following vote: