

RESOLUTION 2014-123

RESOLUTION APPROVING AGREEMENTS WITH OUTSIDE LEGAL COUNSEL, ALLEN, MATKINS, LECK, GAMBLE, MALLORY & NATSIS LLP; HUNT, ORTMANN, PALFFY, NIEVES, DARLING & MAH, INC.; AND BUTZ, DUNN & DeSANTIS, IN SUBSTANTIAL FORM AND DELEGATING AUTHORITY TO PORT ATTORNEY TO ENTER INTO AGREEMENTS IN EXCESS OF \$175,000 IN A TOTAL AMOUNT NOT TO EXCEED \$750,000

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 Port Attorney 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; and

WHEREAS, in order to best advise and defend the District, in addition to the in-house attorneys, the Office of the Port Attorney sometimes utilizes the services of outside law firms to provide legal services in specific areas of law and to supplement the in-house services; and

WHEREAS, for most matters in which outside counsel is utilized, the services total less than \$175,000 annually and agreements for each such matter are within the Port Attorney's contracting authority of \$175,000 and will be reported to the Board monthly per BPC Policy No. 110, section II.H; and

WHEREAS, as to agreements totaling more than \$175,000, the Office of the Port Attorney recommends the Board approve agreements with three law firms, Allen, Matkins, Leck, Gamble, Mallory & Natsis LLP; Hunt, Ortmann, Palffy, Nieves, Darling & Mah, Inc.; and Butz, Dunn & DeSantis, for matters potentially exceeding \$175,000 in compensation this year in the total amount of \$750,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Port Attorney or his designated representative is hereby authorized on behalf of the San Diego Unified Port District to enter into agreements in substantial form with Allen, Matkins, Leck, Gamble, Mallory & Natsis LLP; Hunt, Ortmann, Palffy, Nieves, Darling & Mah, Inc.; and Butz, Dunn & DeSantis, for matters potentially exceeding \$175,000 in compensation this year in the total amount of \$750,000.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY



By: ~~Assistant/Deputy~~

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10TH day of June 2014, by the following vote:


AYES: Bonelli, Castellanos, Malcolm, Merrifield, and Nelson,

NAYS: None.

EXCUSED: Moore and Valderrama.

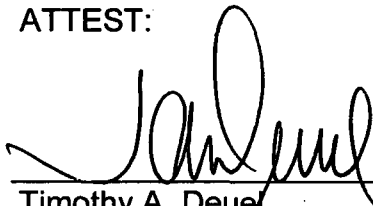
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)