

**RESOLUTION 2016-87**

**RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH TETRA TECH, INC., FOR ENVIRONMENTAL LITIGATION SUPPORT SERVICES INCREASING THE MAXIMUM AMOUNT PAYABLE FROM \$926,000 TO \$1,366,000; AMENDMENT NO. 1 TO THE AMENDED AND RESTATED AGREEMENT FOR LEGAL SERVICES WITH MURPHY & EVERTZ LLP INCREASING THE MAXIMUM AMOUNT PAYABLE FROM \$175,000 TO \$375,000 AND EXTENDING THE TERM THROUGH JUNE 30, 2017; AND AMENDMENT NO. 1 TO THE AGREEMENT FOR LEGAL SERVICES WITH BROWN & WINTERS INCREASING THE MAXIMUM AMOUNT PAYABLE FROM \$120,000 TO \$295,000 AND EXTENDING THE TERM THROUGH JUNE 30, 2017**

**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

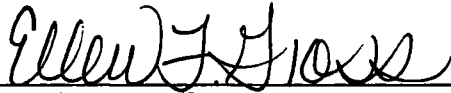
**WHEREAS**, in order to best advise and defend the District, in addition to the in-house attorneys, the Office of the General Counsel sometimes utilizes the services of outside law firms to provide legal services in specific areas of law and to supplement the services of the in-house resources as well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

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

2016-87

**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. 2 to the agreement with Tetra Tech, Inc. for environmental litigation support services related to the Chula Vista Bayfront increasing the maximum amount payable from \$926,000 to \$1,366,000; Amendment No. 1 to the amended and restated agreement for legal services with Murphy & Evertz LLP increasing the maximum amount payable from \$175,000 to \$375,000 and extending the term through June 30, 2017; and Amendment No. 1 to the agreement for legal services with Brown & Winters increasing the maximum amount payable from \$120,000 to \$295,000 and extending the term through June 30, 2017.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL



By: Assistant Deputy

2016-87

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 15<sup>th</sup> day of June, 2016, by the following vote:

AYES: Bonelli, Castellanos, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Malcolm.

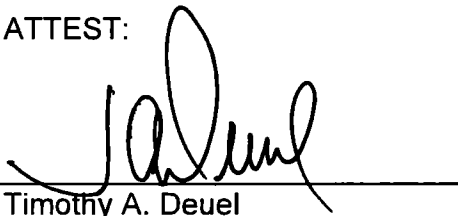
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)