

RESOLUTION NO. 74470

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ AUTHORIZING THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN ELEVENTH AMENDMENT TO THE AIRPORT LEGAL SERVICES AGREEMENT WITH ORRICK, HERRINGTON & SUTCLIFFE LLP

WHEREAS, Orrick, Herrington & Sutcliffe LLP (“Orrick”) has provided legal services to the City of San José (“City”) regarding finance issues involving the Norman Y. Mineta San José International Airport (the “Airport”) for a number of years; and

WHEREAS, the City Attorney’s Office selected Orrick due to the firm’s breadth of experience in the area of municipal finance generally and the City’s Airport revenue debt specifically; and

WHEREAS, it would not be in the public interest to conduct a competitive process for these services in light of: (1) Orrick’s experience and expertise in municipal finance; and (2) the need for continuity as the Airport’s debt portfolio has become more complex due to the financings required to implement the first phase of the Airport Master Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Attorney is hereby authorized to negotiate and execute an Eleventh Amendment to the Agreement for legal services related to the financing of improvements at the Airport and the City’s outstanding Airport revenue debt with Orrick, Herrington & Sutcliffe LLP, increasing compensation by \$100,000, for a total amount not to exceed \$350,000.

ADOPTED this 24th day of June, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CORTESE, LICCARDO,
NGUYEN, OLIVERIO, PYLE, WILLIAMS; REED.

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk