

**Item #13**

DATE ISSUED: November 11, 2009

ATTENTION: Centre City Development Corporation  
Meeting of November 18, 2009, Agenda 686

SUBJECT: Second Amendment to Agreement with Best, Best & Krieger, LLP –  
Corporate Legal Counsel Services – General

STAFF CONTACT: Margarita Garcia, Accountant/Business Manager

**REQUESTED ACTION:** That the Centre City Development Corporation (“Corporation”) approves a Second Amendment to its Agreement with Best, Best & Krieger, LLP in an amount not to exceed \$160,000.

**STAFF RECOMMENDATION:** That the Corporation approves a Second Amendment to its Agreement with Best, Best & Krieger, LLP in an amount not to exceed \$160,000.

**SUMMARY:** This amendment is to provide funding for a subconsultant, Evolution Media, LLC.

**FISCAL CONSIDERATIONS:** Funds in the amount of \$160,000 are available in the FY10 Corporation budget.

**COMMITTEE RECOMMENDATION:** On November 18, 2009, this item will be presented to the Audit Committee of the Corporation.

**OTHER RECOMMENDATIONS:** None.

**BACKGROUND:** On January 21, 2009, the Corporation approved the selection of Best, Best & Krieger, LLP as corporate counsel for the Corporation and authorized execution of an agreement in an amount not to exceed \$160,000. These funds cover corporate and certain project-related services through June 30, 2009. At the time it was noted that an amendment to the contract for additional funds would be processed when appropriate for FY10 services, and annually thereafter. On July 22, 2009, the first amendment to the contract of \$300,000 was approved to provide funding for corporate and project-related counsel services. This second amendment provides funding for a subconsultant, Evolution Media Capital, LLC, to review the financial feasibility of reusing of the MTS site.

ENVIRONMENTAL IMPACT: This activity is not a “project” under the definition set forth in CEQA Guidelines Section 15378. Therefore, pursuant to CEQA Guidelines Section 15060(c)(3), the activity is not subject to CEQA.

CONCLUSION: That the Corporation approves a Second Amendment to its Agreement with Best, Best & Krieger, LLP and authorizes staff to prepare and execute the amendment to the contract.

Respectfully submitted:

Concurred by,

  
Margarita Garcia  
Accountant/Business Manager

  
Frank J. Alessi  
Executive Vice President & Chief Financial Officer