



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 05/20/2025

ITEM NO: 14

DATE: May 9, 2024
TO: Mayor and Town Council
FROM: Gabrielle Whelan, Town Attorney
SUBJECT: Authorize the Town Manager to Execute a Second Contract Amendment to the Contract for Legal Services with the Law Firm of Goldfarb & Lipman to Increase the Contract Amount by \$75,000 for a Total Amount Not to Exceed \$240,000

RECOMMENDATION:

Authorize the Town Manager to execute a second contract amendment to the contract for legal services with the law firm of Goldfarb & Lipman to increase the total contract by \$75,000 for a total amount not to exceed \$240,000.

FISCAL IMPACT:

Funds have been budgeted for these services.

BACKGROUND:

In July 2022, the Town Attorney's Office entered into an agreement with the law firm of Goldfarb & Lipman LLP to provide specialized land use counsel. The Town Attorney's Office is seeking Town Council approval of an amendment to the existing contract. Since 2022, the Town has spent \$149,839.55 in consultation with Goldfarb & Lipman, primarily on Housing Element and SB 330 matters. In accordance with the Town's purchasing policy, this is a "single source" contract in that this firm is recognized as a statewide expert in Housing Element law.

On December 3, 2024, a first contract amendment not to exceed \$165,000 was executed because of the need for additional legal support to work on a variety of land use matters, including SB 330 litigation.

DISCUSSION:

The proposed second contract amendment will fund additional legal services, which will include work on general land use matters, including the Housing Element implementation, the

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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SUBJECT: 1st Amendment to the Goldfarb & Lipman LLP Agreement

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processing of SB 330 planning applications, and SB 330 litigation. This item is being brought to Council for authorization in accordance with the Town's purchasing policy, which requires Council approval for services totaling over \$100,000.

CONCLUSION:

The Town Attorney's Office recommends approval of the second contract amendment in the amount of \$75,000 for a total contract amount not to exceed \$240,000 because the additional legal support will support staff work on complex SB 330 issues, including litigation.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Second Amendment to Agreement
2. Amendment to Agreement with Exhibit A - Original Agreement