



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/02/2025

ITEM NO: 6

DATE: September 2, 2025
TO: Mayor and Town Council
FROM: Gabrielle Whelan, Town Attorney
SUBJECT: **Authorize the Town Manager or Designee to Enter into a Litigation Legal Services Agreement for FY 2025-26 with Goldfarb and Lipman in an Amount Not to Exceed \$200,000 and Authorize an Expenditure Budget Adjustment of \$200,000 from the General Fund Unassigned Fund Balance**

RECOMMENDATION: Authorize the Town Manager or designee to enter into a Litigation Legal Services Agreement for FY 2025/26 with Goldfarb and Lipman in an amount not to exceed \$200,000 and authorize an expenditure budget adjustment of \$200,000.

FISCAL IMPACT:

The proposed action will authorize a contract in the amount of \$200,000 for Land Use Litigation services in Fiscal Year 2025-26. To allocate funds for this contract, a corresponding expenditure budget adjustment of \$200,000 is required, which will be appropriated from the General Fund Unassigned Fund balance (Account 1301-3215).

STRATEGIC PRIORITY:

The item supports a top priority of providing a range of housing opportunities while diligently maintaining and implementing the Housing Element.

BACKGROUND:

In July 2022, the Town Attorney's Office entered into an agreement with Goldfarb & Lipman LLP to provide specialized housing law legal services. Over the past three years, the firm has assisted the Town with Housing Element issues, SB 330 projects, and land use litigation. Due to existing land use litigation, continued representation remains necessary.

PREPARED BY: Bridgette Falconio
Administrative Technician

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

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SUBJECT: Goldfarb Litigation Agreement

DATE: September 2, 2025

For FY 2025-26, the Town Attorney's Office recommends entering into a new agreement that provides legal services for land use litigation. The Town Attorney's Office retains Goldfarb and Lipman as a single source vendor as allowed under Town Code section 2.50.130(b)(2).

DISCUSSION:

The proposed Legal Services Agreement will cover legal representation and advice on land use litigation, including two existing cases. Goldfarb & Lipman is recognized statewide as an expert in Housing Element law and is uniquely qualified to represent the Town in these matters.

A new contract for FY 2025-26, with a not-to-exceed amount of \$200,000, ensures the Town has the necessary resources to address pending litigation matters.

At mid-year, the Town Attorney will assess the litigation budget and may request additional funding if needed.

CONCLUSION:

Staff recommends that the Town Council authorize the Town Manager or designee to enter into a Litigation Legal Services Agreement with Goldfarb & Lipman for FY 2025-26 for an amount not to exceed \$200,000, and approve an expenditure budget adjustment of \$200,000.

COORDINATION:

This report was coordinated with the Town Attorney's Office, Town Managers Office', and the Finance Department.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Land Use Litigation Agreement