



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/21/2026

ITEM NO: 8

DATE: April 3, 2026
TO: Mayor and Town Council
FROM: Gabrielle Whelan, Town Attorney
SUBJECT: **Authorize the Town Manager or Designee to Enter into a Second Amendment to the Contract for Litigation Legal Services for FY 2025-26 with Goldfarb and Lipman to Increase the Contract Amount by \$100,000, for a Total Contract Amount Not to Exceed \$450,000**

RECOMMENDATION: Authorize the Town Manager or designee to enter into a Second Amendment to the Contract for Litigation Legal Services for FY 2025-26 with Goldfarb and Lipman in an amount not to exceed \$450,000.

FISCAL IMPACT:

The proposed action will authorize a second contract amendment in the amount of \$100,000 for Land Use Litigation services in Fiscal Year 2025-26, which increases the current not to exceed amount from \$350,000 to \$450,000. Funds have been budgeted for these services in account 1111301-63215, and sufficient funds are available for this increase. The Town Attorney's office is not seeking a budget adjustment at this time.

STRATEGIC PRIORITY:

The item supports a top strategic 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 legal issues related to Housing Element certification and SB 330

PREPARED BY: Bridgette Falconio
Administrative Technician

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Administrative Services Director

PAGE 2 OF 2

SUBJECT: Goldfarb & Lipman Litigation Agreement Second Amendment

DATE: April 3, 2026

development proposals, as well as representing the Town in land use litigation. Due to current land use litigation, continued representation remains necessary.

The Town Attorney's Office retains Goldfarb and Lipman as a single source vendor pursuant to Town Code section 2.50.130(b)(2).

DISCUSSION:

The proposed second amendment to the Legal Services Agreement will cover legal representation in land use litigation, specifically defending a pending case filed by an SB 330 applicant. The funds will be used for the preparation of Town briefs, court appearances, and potentially the preparation of an administrative record. Goldfarb & Lipman is recognized statewide as an expert in Housing Element law and is uniquely qualified to represent the Town in these matters.

The second contract amendment for FY 2025-26, with a not-to-exceed amount of \$450,000, ensures the Town has the necessary resources to address pending litigation matters.

CONCLUSION:

Staff recommends that the Town Council authorize the Town Manager or designee to enter into a Second Amendment to the Contract for Litigation Legal Services for FY 2025-26 with Goldfarb and Lipman in an amount not to exceed \$450,000.

COORDINATION:

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

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Second Amendment
2. First Amendment and Land Use Litigation Agreement