



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 01/20/2026

ITEM NO: 9

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DATE: January 20, 2026  
TO: Mayor and Town Council  
FROM: Gabrielle Whelan, Town Attorney  
SUBJECT: **Authorize the Town Manager to Execute a Third Amendment to the Contract for Legal Services with the Law Firm of Atchison, Barisone & Condotti to Extend the Term and Increase the Contract Amount by \$50,000 in an Amount Not to Exceed \$300,000 until June 30, 2026**

RECOMMENDATION: Authorize the Town Manager to execute a third amendment to the contract for legal services with the law firm of Atchison, Barisone & Condotti to extend the term and increase the contract amount by \$50,000 in an amount not to exceed \$300,000 until June 30, 2026.

FISCAL IMPACT:

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 strategic priority this item supports is Good Governance.

BACKGROUND:

In December 2022, the Town Attorney's Office entered into an agreement with the law firm of Atchison, Barisone & Condotti to provide on-call legal services for a total contract not to exceed \$10,000.

In March 2024, the Town Attorney's Office entered into a first amendment to the agreement with the law firm of Atchison, Barisone & Condotti for a total contract not to exceed \$150,000.

PREPARED BY: Bridgette Falconio  
Administrative Technician

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

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In December 2024, the Town Attorney's Office entered into a second amendment to the agreement with the law firm of Atchison, Barisone & Condotti for a total contract not to exceed \$250,000.

The Town Attorney's Office is seeking Town Council approval of a third amendment to the existing contract in the amount of \$50,000, for a total amount not to exceed \$300,000 through June 30, 2026, which covers three and one-half years of services. Atchison, Barisone & Condotti also provided an updated fee schedule effective January 1, 2026, for their annual CPI Legal Rate Increase. This is a "single source" procurement, because this firm specializes in municipal law issues, is based locally, and is familiar with current legal issues in Santa Clara County.

DISCUSSION:

The proposed contract amendment will fund additional legal services, which will include assistance to the Town with a pending planning application for a CUP modification.

CONCLUSION:

The Town Attorney's Office recommends approval of the contract amendment due to the firm's expertise in municipal law and the need for additional support.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Third Amendment to Agreement
2. First and Second Amendment to the Agreement and Original Agreement