The Honorable City Council  
Palo Alto, California

Authorization to Amend the Existing Agreement for Litigation Defense Services With the Law Firm of Jarvis Fay & Gibson (Contract S17168652) to Increase the Contract Amount by an Additional $15,000 for a Total Not-to-Exceed Amount of $130,000

Recommendation

The City Attorney recommends that the City Council approve and authorize an increase to the legal services agreement with the law firm of Jarvis Fay & Gibson for litigation defense in the case of John Tze and Edgewood SC v. City of Palo Alto, Santa Clara Co. Sup. Ct. Case No. 17CV309030 (Contract S17168652) by an additional $15,000 for a total not to exceed amount of $130,000, and to extend the term to April 26, 2021.

Discussion

In April 2017, the City entered into an $85,000 legal services agreement with Jarvis Fay & Gibson LLP for pre-litigation and initial litigation defense services in a Government Claims Act claim and subsequently- filed civil suit John Tze and Edgewood SC v. City of Palo Alto, Santa Clara Co. Sup. Ct. Case No. 17CV309030. In October 2019, the agreement was amended to add $30,000 for a total of $115,000. The contract term was also extended to April 26, 2020. Staff now recommends that the Council authorize an additional $15,000 for a total not to exceed $130,000 and to extend the contract term to April 26, 2021 for continuing litigation defense.

Resource Impact

Funding for this amendment does not require additional budgetary authority as it can be accommodated within the Office of the City Attorney’s budget for FY2021.

Environmental Review

Amendment of a legal services contract is not a project requiring environmental review under the California Environmental Quality Act (CEQA).

Department Head: Molly Stump, City Attorney