

- First
- Second
- Third
- Fourth

## Amendment to Standard City of San José Legal Services Agreement

Attorney's Name: The Sutton Law Firm  
**(Standard Agreement AC No. 663102)**

This Amendment is made and entered into on Jul 20, 2021. The City and Attorney amend the above-referenced agreement as set forth herein.

1. Capitalized words in this Amendment have the same meaning as in the Agreement.
2. The provisions of this Agreement (including any previous amendments) not modified by this Amendment remain in full force and effect.
3. The provisions of this Amendment are effective upon execution of the Amendment by both parties.
4.  **Agreement Term:** Subsection 2.1 is amended to retroactively extend the expiration date from June 30, 2021 to June 30, 2022. The extension is retroactive to the expiration date of the Agreement. The City Attorney accepts and approves any services provided after the expiration date and before the execution of this Amendment.
5.  **Maximum Total Compensation:** Subsection 10.1 is amended to  Increase  Decrease the Maximum Total Compensation from \$\_\_\_\_\_ to \$\_\_\_\_\_.
6.  **Agreement Section(s):** Section(s) \_\_\_\_\_ is/are amended to read as set forth in Attachment A of the Amendment.
7.  **Scope of Basic Services – Exhibit A:** The  original  First Revised  Second Revised Exhibit A is amended to read as set forth in the attached  First  Second  Third Revised Exhibit A, which is incorporated by reference into this Amendment.
8.  **Compensation – Exhibit B:** The  original  First Revised  Second Revised Exhibit B is amended to read as set forth in the attached  First  Second  Third Revised Exhibit B, which is incorporated by reference into this Amendment.
9.  **Additional Services:** The Attorney is authorized to perform the Additional Services set forth in the attached Additional Services Exhibit, which is incorporated by reference into this Amendment.

**This Amendment is executed by the authorized representatives of the City and Attorney as follows:**

**City of San José**

**Attorney**

By *Nora Frimann* Jul 20, 2021  
Nora Frimann (Jul 20, 2021 19:29 GMT-7)

By *James R Sutton* Jul 20, 2021  
James R. Sutton (Jul 20, 2021 09:20 PDT)

Name: Nora Frimann **Date**  
Title: City Attorney

Name: James R. Sutton **Date**  
Title: Managing Partner

**Approval as to Form (City Attorney):**

**Form Approved by the Office of the City Attorney.**

(Maximum Total Compensation, as amended, is \$100,000 or less, and the provisions of the form are not altered.)

**Approved as to Form:**

\_\_\_\_\_  
[Sr.] Deputy City Attorney **Date**

First

Second

### Revised Exhibit A: Scope of Basic Services

Third

This revised Exhibit A is an attachment to the  First  Second  Third  Fourth amendment to Agreement.

The tasks set forth in the original Exhibit A, or in any previous amendment to the original Exhibit A, are amended as follows:

**Task No. 1, entitled "Defend the City and individuals in connection with an FPPC complaint," is amended to read as follows:**

**Task No. 1:** Defend the City and individuals in connection with an FPPC complaint.

- A. Services:** At the request of City Attorney or an authorized deputy of the City Attorney, Attorney shall provide legal services and advice, including but not limited to:
1. Defense of FPPC complaint;
  2. Rendering legal opinions as necessary;
  3. Attend meetings and participate in telephone conference calls with City Attorney and staff, as necessary; and
  4. Other related issues as may arise.
- B. Deliverable:** Legal defense, analyses, opinions, meeting participation, communications with City Attorney.
- C. Completion Time:** The Attorney must complete the services and deliverable for this task in accordance with whichever one of the following time is marked:
- On or before the following date: June 30, 2022.
- On or before \_\_\_\_ Business Days from \_\_\_\_\_.

# City of San José Contract/Agreement Transmittal Form

## Route Order

## Attached / Completed

## Electronically Signed

TO:  City Attorney  
 City Manager  
 City Clerk **OR** Return to  
Dept. (circle one)

Insurance Certificates / Waivers  Electronically Signed: Yes  
 Business Tax Certificate  Audit Trail Attached (if applicable)  
 Contacted Clerk re: Form 700  Scanned Signature Authorization  
 Supplemental Memorandums (if applicable): Select One

Type of Document: Amendment

Type of Contract: Professional Services

### REQUIRED INFORMATION FOR ALL CONTRACTS:

Existing GILES # 663102-004

Contractor: The Sutton Law Firm

Address: 150 Post Street, Suite 405, San Francisco, CA 94108

Phone: 415-732-7700

Email: jsutton@campaignlawyers.com

Contract Description: Fourth Amendment to Legal Services Agreement related to defense of Fair Political Practices Commission complaints.

Term Start Date: 11/01/2017 Term End Date: 06/30/2022 Extension: Yes

Method of Procurement: N/A RFB, RFP or RFQ No.: \_\_\_\_\_ Date Conducted: \_\_\_\_\_

Agenda Date (if applicable): \_\_\_\_\_ Agenda Item No.: \_\_\_\_\_

Resolution No.: \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

Original Contract Amount: \$50,000 Amount of Increase/Decrease: \_\_\_\_\_

Option #: \_\_\_ of \_\_\_ Option Amount: \_\_\_\_\_ NTE/Updated Contract Amount: \_\_\_\_\_

Fund/Appropriation: 001-44000050-4052


Form 700 Required (Selection mandatory for processing): Yes Revenue Agreement: No

Tax Certificate No.: 2940825980 Expiration Date: \_\_\_\_\_

Department: Attorney (44)

Department Contact: Kara Lamm Customer (Finance Only): \_\_\_\_\_

Notes: Form 700: James Sutton, filed 2/24/2021

Department Director Signature:  Jul 20, 2021  
Nora Frimann (Jul 20, 2021 19:29 GMT+2) Date

Office of the City Manager Signature: \_\_\_\_\_ Date