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2007 JAN 18 A 8 *Memorandum*

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Richard Doyle
City Attorney

SUBJECT: First Amendment to Legal
Services Agreement with
Anderson & Kreiger LLP

DATE: January 18, 2007

RECOMMENDATION

Adoption of a resolution authorizing the City Attorney to negotiate and execute a First Amendment to the Agreement with Anderson & Kreiger LLP for legal services related to airline lease negotiations at the Norman Y. Mineta San Jose International Airport, increasing compensation by \$80,000 for a total amount not to exceed \$180,000.

OUTCOME

Approval of this First Amendment will allow the law firm to continue to provide legal services related to the airline lease negotiations at the Norman Y. Mineta San Jose International Airport (Airport).

BACKGROUND

On May 3, 2006, the City Attorney executed a \$100,000 agreement with Edwards Angell Palmer & Dodge LLP ("Edwards Angell") for legal services in connection with the airline lease negotiations at the Airport. The City Attorney's Office selected Edwards Angell through a Request for Qualifications ("RFQ") that was distributed to a number of law firms and advertised on the City and Airport web sites. The lead attorney for the Airport lease negotiations moved his practice to Anderson & Kreiger LLP ("Anderson & Kreiger"). The City terminated the agreement with Edwards Angell, effective July 1, 2006, and on July 13, 2006, the City Attorney executed a \$100,000 agreement with Anderson & Kreiger.

ANALYSIS

Anderson & Kreiger has provided important support to the City Attorney's Office in the negotiation and drafting of new airline leases, which entail compliance with federal law and regulations, and continued participation by Anderson & Kreiger in negotiations, strategy sessions and agreement drafting is essential for successful completion of the current airline lease negotiations.

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POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST

This item does not appear to qualify as an item of significant interest based on the established criteria. This memo is posted on the City's website for the January 30, 2007 Council Agenda.

COORDINATION

This item has been coordinated with the Airport Fiscal Unit.

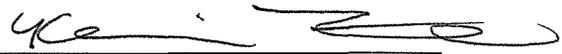
BUDGET REFERENCE

Fund #	Appn #	Appn. Name	RC #	Total Appn	Amt. for Contract	2006-2007 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
523	0802	<u>Airport Non-Personal/ Equipment</u>	105110	\$37,125,041	\$80,000	Page XI-3	11/21/06 Ord. # 27922

CEQA

Not a project.

RICHARD DOYLE
City Attorney

By 
Kevin Fisher
Sr. Deputy City Attorney

cc: Les White

For questions please contact KEVIN FISHER, Senior Deputy City Attorney, at (408) 535-1943.