

**EIGHTH AMENDMENT TO AGREEMENT BETWEEN  
THE CITY OF MILPITAS AND HOPKINS & CARLEY**

**\*12**

**THIS AMENDMENT** is entered into this \_\_\_\_ day of October, 2013, by and between the City of Milpitas, hereinafter "City," and Hopkins & Carley, A Law Corporation, hereinafter "H&C."

Recitals:

Whereas, the parties entered into a written agreement (the "Agreement") for legal services dated July 5, 2007, by H&C and dated April 16, 2008, by City, with a not-to-exceed amount of \$19,000; and

Whereas, on June 17, 2008, the City Council approved and the parties entered into an amendment to the Agreement (the "First Amendment"), increasing the compensation amount by \$60,000 and extending the term of the Agreement through June 30, 2009; and

Whereas, the Agreement, as amended, expired on June 30, 2009, and on August 4, 2009, the City Council approved and the parties entered into a Reinstatement Agreement dated August 13, 2009 (the "Reinstatement Agreement/Second Amendment"), which reinstated and extended the term of the Agreement through June 30, 2010; and

Whereas, on May 5, 2010, the parties further amended the Agreement (the "Third Amendment"), which extended the term of the Agreement through June 30, 2011; and

Whereas, on May 5, 2011, the parties further amended the Agreement (the "Fourth Amendment"), which extended the term of the Agreement through June 30, 2012; and

Whereas, on June 3, 2012, the parties further amended the Agreement (the "Fifth Amendment"), which extended the term of the Agreement through June 30, 2013; and

Whereas, on January 15, 2013, the City Council approved and the parties entered into a further amendment of the Agreement (the "Sixth Amendment"), which increased the compensation amount by \$45,000 and extended the term of the Agreement through June 30, 2014; and

Whereas, on June 13, 2013, the parties further amended the Agreement (the "Seventh Amendment"), which increased the compensation amount by \$19,500, for a new total not-to-exceed amount of \$143,500.

Whereas, the parties wish to further amend the Agreement by way of this Eighth Amendment, as set out below.

NOW, THEREFORE, **IT IS HEREBY AGREED** as follows:

1. The compensation amount shall be amended by the addition of \$50,000 to the current contract not-to-exceed amount.
2. All other terms and conditions remain unchanged.

APPROVED BY:

CITY OF MILPITAS

HOPKINS & CARLEY, A Law Corporation

\_\_\_\_\_  
Thomas C. Williams, City Manager

By: \_\_\_\_\_  
Ernest M. Malaspina, Its Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney