

## STAFF REPORT

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**Date:** January 17, 2024

**To:** Mayor and City Council

**Thru:** Doug Thornley, City Manager

**Subject:** Staff Report (For Possible Action): Approval of compensation for Special Counsel Dickinson Wright, PLLC, for legal services related to Brekhus v. City of Reno et al, Case No. CV23-02355, in the amount of \$75,000. (General Fund)

**From:** Jonathan Shipman, Chief Deputy City Attorney

**Department:** City Attorney's Office

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**Summary:**

The City Attorney's Office requests that Council approve the compensation of Special Counsel Dickinson Wright, PLLC, for legal services related to Brekhus v. City of Reno et al, Case No. CV23-02355, in the amount of \$75,000 pursuant to Nevada Revised Statute (NRS) 41.0344.

**Alignment with Strategic Plan:**

Not Applicable

**Previous Council Action:**

There is no recent Council action relevant to this item.

**Background:**

See attached Petition for Writ of Mandamus.

**Discussion:**

NRS 41.0344 provides that the City Attorney may employ special counsel whose compensation must be fixed by the governing body of the political subdivision if he determines that it could constitute a conflict of interest for the legal services to be rendered by the City Attorney's Office. Compensation for special counsel must be paid by the City.

Here, City Attorney Hall has determined that it could constitute a conflict of interest for the legal services to be rendered by the City Attorney's Office. City Attorney Hall requests that Council approve compensation for Special Counsel Dickinson Wright, PLLC for legal representation related to the City's response in Brekhus v. City of Reno, et al, Case No. CV23-02355 in an

amount not to exceed \$75,000.

**Financial Implications:**

Seventy-five thousand dollars (\$75,000) will be allocated from the General Fund to cover this appropriation.

**Legal Implications:**

Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:**

Pursuant to NRS 41.0344, the City Attorney's Office recommends Council approve the compensation of Special Counsel Dickinson Wright, PLLC, for legal services related to Brekhus v. City of Reno, et al, Case No. CV23-02355 in an amount not to exceed \$75,000.

**Proposed Motion:**

I move to approve staff recommendation.

**Attachments:**

Petition for Writ of Mandamus