

STAFF REPORT

Date: March 27, 2024

To: Mayor and City Council

Through: Doug Thornley, City Manager

Subject: Staff Report (For Possible Action): Approval of an additional \$75,000 in compensation for Special Counsel Dickinson Wright, PLLC for legal services rendered in connection with the City's response in *Brekhus v. City of Reno et al.*, Case No. CV23-02355, in the total amount of \$150,000. (General Fund)

From: Karl Hall, City Attorney

Department: City Attorney's Office

Summary:

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

Consent Review	Yes	No
1. Is this item an annual or standard item that comes before Council for regular approval?		X
2. Is this item an agreement required based on an item previously approved by Council?	X	
3. Is this item included in the current budget approved and adopted by Council?		X
Other Considerations		
What percent of the total City budget does this item represent?	< .01%	

Alignment with Strategic Plan:

Not Applicable

Previous Council Action:

On January 17, 2024, Council approved 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

total amount of \$75,000 pursuant to NRS 41.0344.

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 an additional \$75,000 in compensation for Special Counsel Dickinson Wright, PLLC for necessary and reasonable legal services rendered in connection with the City's response in *Brekhus v. City of Reno*, et al., Case No. CV23-02355 in a total amount not to exceed \$150,000.

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 an additional \$75,000 in compensation of Special Counsel Dickinson Wright, PLLC, for legal services rendered in connection with the City's response in *Brekhus v. City of Reno*, et al., Case No. CV23-02355 in a total amount not to exceed \$150,000.

Proposed Motion:

I move to approve staff recommendation.

Attachments:

Petition for Writ of Mandamus.