

**RESOLUTION DESCRIBING THE AUTHORITY OF THE CITY ATTORNEY REGARDING  
LITIGATION AND OTHER CONTESTED MATTERS**

WHEREAS, the City Council, the City Manager and the City Attorney each have authority and responsibility regarding claims, litigation and other contested matters involving the City and its officers and employees; and

WHEREAS, except as otherwise required by law, the City Council has inherent authority to delegate its authority and responsibility regarding such matters as it sees fit; and

WHEREAS, in addition to such inherent authority, NRS 241.0357 authorizes the City Council to delegate authority to a City executive to make any decision regarding litigation concerning any action or proceeding in which the City Council, any of its members, or a City employee is a party in an official capacity or participates or intervenes in an official capacity; and

WHEREAS, the authority of the City Council listed above includes the authority to delegate to the City Attorney, as the Council's legal adviser in all matters, the authority to authorize certain settlements of contested matters and to employ special counsel, as deemed necessary in the public interest.

NOW, THEREFORE, BASED UPON THE FOREGOING, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, as follows:

1. To authorize the City Attorney, by delegation through the City Manager, to:

A. Take any action necessary or appropriate to perfect an appeal or related appellate rights in any judicial or administrative proceeding. Notwithstanding the preceding sentence, an appeal of the final judgment of a court requires prior approval by the City Council, except that when authority for such an appeal cannot reasonably be taken before the City Council for prior approval, the item may be brought to the City Council subsequently for ratification.

B. Take any action necessary or appropriate to institute any legal or administrative action necessary or desirable to protect the rights of the City and its officers and employees.

C. Take any action necessary or appropriate in pending litigation to preserve rights against parties to that litigation, such as cross claims and similar related actions, the filing of which is necessary in

1 the pending action to reserve the City's rights.

2 D. Take any action necessary or appropriate to settle 1) pre-litigation disputes or claims or 2)  
3 pending litigation claims against the City, in each case up to \$200,000, without the necessity of City Council  
4 approval—unless regarding any particular unexecuted settlement, a member of the City Council requests to  
5 have the settlement considered by the City Council. In each case to be settled by the City Attorney under this  
6 Paragraph (D), the City Attorney shall consult, and review the terms of settlement, with Risk Management,  
7 the City Manager, and any department or office which is connected to the facts of the dispute or claim. In the  
8 case of any employment-related dispute or claim, the settlement requires consultation and review with the  
9 Department of Human Resources and approval by the City Manager.

10 E. Retain special counsel for compensation up to \$50,000 on any particular matter, if the City  
11 Attorney deems such action to be required in the public interest. Such compensation shall be chargeable to  
12 the City's General Fund or the Liability Insurance and Property Damage Fund. Retention of special counsel  
13 under this Subparagraph (E) shall not be duplicative of the employment of any consultant or contractor by  
14 the City Manager under authority that exists independent of this Resolution.


15 2. Nothing in this Resolution limits the ability of the City Attorney to take any litigation matter or other  
16 matter regarding a dispute or claim to the City Council for consideration and action.

17 PASSED, ADOPTED, AND APPROVED this 18<sup>th</sup> day of October, 2023.

18 CITY OF LAS VEGAS

19 BY   
20 CAROLYN G. GOODMAN, Mayor

21 ATTEST:

22   
23 LUANN D. HOLMES, MMC  
City Clerk

24 APPROVED AS TO FORM

25 Val Steed 10-18-23  
26 Val Steed, Date  
Deputy City Attorney