



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: March 3, 2021

REPORT TO:	Mayor and City Council
PREPARED BY:	Mike Toombs, Deputy City Manager
REPORT FROM:	Daphne Hooper, City Manager
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	CURRENTLY BUDGETED: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	FUND/ACCOUNT:
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ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action): Possible Action to amend the Joint Contract with Mouritsen Law PLLC and the Law Offices of Kenneth V. Ward for Public Defender Services not to exceed \$80,000.

Agenda Item Brief: Staff is seeking approval to authorize additional costs for Public Defender Services for the period of FY2022. There has been an increase in Public Defender requirements brought on by a recent court case against the State of Nevada. These additional requirements have resulted in an increase workload on the Public Defender.

Recommended Motion:
"I move to approve the amendment for the Joint Contract with Mouritsen Law PLLC and the Law Offices of Kenneth V. Ward for public defender services for FY 2021-2022 for the amount not to exceed \$80,000.00, annually."

Business Impact (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

The Council can may:

- Not approve the Change Order and direct staff to look for other possible professional services for the City's Public Defender.
- Request Council provide additional information on Public Defender services.

BACKGROUND:

A settlement of a recent court case against the State of Nevada claiming the state failed in their obligation to provide effective representation to accused indigent persons throughout rural counties has resulted in increased requirements on the City's contracted Public Defenders.

Due to additional time required, the contracted Public Defenders have asked for an increase in their compensation from \$60,000 to \$80,000 for the remainder of the contracted period (FY 2021-2022).

Previous Council Action

In April 2020, the City advertised an RFP for Public Defender Services. The announcement closed on May 15, 2020 with one applicant, a joint proposal from Mouritsen Law PLLC and The Law Offices of Kenneth V. Ward. On July 1, 2020 Council approved the Joint Contract with Mouritsen Law PLLC and The Law Offices of Kenneth V. Ward for a term from July 1, 2020 through June 30, 2022 not to exceed \$60,000.00, annually.

LEGAL IMPLICATIONS:

NRS 332.115

The contract defines termination, liability, and legal requirements.

FINANCIAL IMPLICATIONS:

Funds will be included in the City Manager's FY 2021-2022 budget submission.

ATTACHMENTS:

Previously approved contract Agreement with change in compensation.

Attachment B of base contract titled Fee Schedule.