



City of Grand Island

Tuesday, July 23, 2019
Council Session/Budget Work Session

Item I-2

#2019-224 - Consideration of Approving Stacy Nonhof as Interim City Attorney and Authorizing City Administrator Jerry Janulewicz to Represent the City of Grand Island as Special Attorney

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Jerry Janulewicz, City Administrator

Meeting: July 23, 2019

Subject: Appointment of Interim City Attorney and Authorize Special Attorney

Presenter(s): Jerry Janulewicz, City Administrator

Background

With the appointment of City Attorney Jerry Janulewicz to the office of City Administrator, it is necessary to designate Assistant City Attorney Stacy Nonhof as Interim City Attorney. She shall perform the duties of City Attorney until a successor City Attorney is appointed by the Mayor, with the consent of the City Council, for the remainder of the Mayor's current term of office. City Administrator Jerry Janulewicz, who formerly served as City Attorney, should be authorized to represent the City as special attorney in order to assist the Interim City Attorney.

Discussion

It is in the best interests of the City that Assistant City Attorney Stacy Nonhof be designated as Interim City Attorney to serve until a successor City Attorney is appointed by the Mayor, confirmed by Council, and holds such office. Until a successor City Attorney is appointed and takes office, City Administrator Jerry Janulewicz should be authorized to represent the City of Grand Island as a special attorney. By this authority, he may sign pleadings and appear in court on behalf of the City and, in coordination with the Interim City Attorney, may otherwise provide legal advice and representation to the City and its officials during the vacancy in the office of City Attorney.

Conclusion

City Administration recommends the resolution be approved.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve

2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue.

Sample Motion

Move to approve the resolution.

RESOLUTION 2018-224

WHEREAS, City Attorney Jerry Janulewicz was recently appointed to the office of City Administrator for the City of Grand Island resulting in a vacancy in the office of City Attorney; and

WHEREAS, under Neb. Rev. Stat., §16-308, the office of City Attorney for the City of Grand Island, Nebraska, is an appointed position; and

WHEREAS, it is desirable to provide a limited transition period whereby Assistant City Attorney Stacy Nonhof shall serve as Interim City Attorney until such time as a successor City Attorney is appointed and takes office; and

WHEREAS, during such time as the duties of the City Attorney are performed by an Interim City Attorney, City Administrator Jerry Janulewicz should be authorized to represent the City of Grand Island as special attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AND MAYOR OF THE CITY OF CITY OF GRAND ISLAND as follows:

1. Assistant City Attorney Stacy Nonhof should be and is hereby designated as Interim City Attorney and shall serve as such until a successor City Attorney is appointed by the Mayor with the consent of the City Council.
2. Until a successor City Attorney is appointed by the Mayor with the consent of the City Council, City Administrator Jerry Janulewicz, a licensed attorney in the State of Nebraska, is hereby authorized to represent the City of Grand Island as special attorney.

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Adopted by the City Council of the City of Grand Island, Nebraska, July 23, 2019.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 19, 2019	☐ City Attorney