

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

Petitioner: Les Lee Shell, Deputy County Manager

Recommendation:

Approve the settlement of the claim of Jessica Smith in the amount of \$75,000. (For possible action)

FISCAL IMPACT:

Fund #:	6600.000/6610.000	Fund Name:	Liability Fund Liability Insurance Pool
Fund Center:	1020501000/1020502000	Funded PGM/Grant:	N/A
Amount:	\$75,000		
Description:	Liability Settlement Payment		
Additional Comments:	N/A		

BACKGROUND:

A Clark County Code Enforcement Officer declared a structure an imminent danger for lack of power and LVMPD officers removed the occupants so the structure could be secured. Plaintiff owners of the property sued Clark County in federal court for violations of their constitutional rights and damage to their property when it was secured. LVMPD settled the case separately from Clark County. The federal court held that whether a valid warrant exception applied and whether Clark County Code Enforcement participated in the actions of LVMPD were questions for the jury and denied Clark County's motion for summary judgment based on qualified immunity. Clark County disagreed with the ruling, but appealing to the 9th circuit and having the risk of having to pay attorney fees after trial made this case appropriate for settlement in the amount of \$75,000.00.

Through negotiations with legal counsel for the claimant, the claimant has agreed to accept \$75,000.00 in settlement of the claim to avoid any further costs and legal expenses of possible litigation in this case. If the settlement is approved, the County would also avoid costs and expenses of any future litigation.

The proposed settlement has been reviewed and approved by the Civil Division of the District Attorney's Office and the Clark County Liability Pool Committee members.

Cleared for Agenda

10/21/2025

File ID#

25-3007