

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL CLARIFYING THE EFFICIENT PAYMENT OF LEGAL FEES AND UPDATING THE DELEGATION OF SETTLEMENT AUTHORITY

WHEREAS, the City of Charlotte is a City of approximately 1 million people, has an annual budget of approximately \$3 billion dollars, and is a leading service provider, property owner, and economic driver of the high performing Charlotte Metro area; and

WHEREAS, leading municipalities, in providing critical services to their community, are often required to address legal claims, negotiations, and challenges quickly and without advance warning or notice; and

WHEREAS, on December 17, 2018, City Council updated, clarified, and consolidated its previous delegations of contracting authority to the City Manager, increasing such authority to \$500,000 (with specialized exceptions mandated by state statute); and

WHEREAS, the above stated resolution, found in Resolution Book 49, page 281, and the City Manager's Memo of March 15, 2019, that further delegated his contracting authority pursuant to that resolution, have been successfully utilized to further City Council's stated intent to increase efficiency in the City's contracting process; and

WHEREAS, a 1995 resolution, found in Resolution Book 34, Page 66 that relates to settlement authority, has not been updated, and therefore is not as consistent with modern City processes as it could be; and

WHEREAS, to ensure efficiency and the ability to manage rapidly evolving matters, City Council has also traditionally included in its budget ordinance an authorization for the Finance Officer (or designee) to pay specialized costs specifically including legal fees; and

WHEREAS, to further increase efficiency and consistency in City claims, contracting, and business processes, City Council desires to clarify and increase the settlement authority of the City Manager and the City Attorney that were established in 1995, as well as to properly place the authority to pay incurred legal fees in a resolution of council.

NOW THEREFORE BE IT RESOLVED, by the Charlotte City Council, in regular session duly assembled, that:

1. The City Council resolutions of November 27, 1995, and January 11, 1988, that relate to delegations of its settlement authority, are hereby rescinded.

October 27, 2025

Resolution Book _____, Page _____

2. The City Manager shall be maintained at, and the City Attorney shall be increased to, a Settlement Authority in the amount of \$100,000.
3. The amount of a settlement, regardless of whether the City is the payor or the payee, shall be determined by the amount of the actual monetary exchange, as opposed to any estimate of overall value of any claim or commodity.
4. The term Settlement Authority, as used herein, shall mean the authority to approve and to execute any legally binding agreement that avoids, settles or resolves a cognizable claim, lawsuit, or legal proceeding of any kind or nature involving the City of Charlotte, including land condemnation.
5. As applied to land condemnation, Settlement Authority shall be:
 - a. In addition to any express authority granted by Council in the approval of the filing of a condemnation action.
 - b. In the case of a condemnation that is material to a construction project that has been approved by Council, Settlement Authority shall be the greater of the amount set forth above or the amount available in the approved construction project budget.
6. The City Manager and the City Attorney may delegate the authority conferred by this resolution to such City employees and under such terms as they may determine from time to time.
7. The Finance Officer or designee is hereby authorized and directed to pay any and all legal fees incurred by the City and approved by the City Attorney.
8. The City Council directs that this resolution be reflected in the minutes of the Charlotte City Council.

ADOPTED on this the _____ day of October, 2025.

CERTIFICATION