

## **RESOLUTION NO. 2005-729**

Adopted by the Sacramento City Council

October 11, 2005

### **AUTHORIZING SETTLEMENT AUTHORITY IN TORT AND WORKERS' COMPENSATION CASES AND REPEALING RESOLUTION 94-011**

#### **BACKGROUND**

- A. As provided in Resolution 94-011, the Third Party Claims Administrator and Workers' Compensation Manager have authority to settle claims up to \$15,000; the Risk Manager has authority to approve settlement of tort and workers' compensation claims exceeding \$15,000 up but less than \$25,000; the Tort and Workers' Compensation Claims Committees have authority to approve settlement of claims greater than \$25,000 and less than \$50,000; and, the Third Party Claims Administrator is a voting member of the Tort Claims Committee.
- B. This Resolution authorizes an improvement in the claims administration process by repealing Resolution 94-011, and transfers settlement authority from the Risk Manager and Third Party Claims Administrator to the City Manager or designee. The Third Party Claims Administrator will serve as a non-voting member of the Tort Claims Committee.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- 1. Resolution 94-011 is repealed in its entirety.
- 2. The Workers' Compensation Manager is authorized to approve on behalf of the City of Sacramento the settlement of workers' compensation claims when such settlement is in the amount of \$15,000 or less.
- 3. The City Manager or designee is authorized to approve on behalf of the City of Sacramento the settlement of workers' compensation claims when such settlement exceeds \$15,000 but is not greater than \$25,000.
- 4. A committee to be known as the Workers' Compensation Claims Committee is hereby established, to be comprised of the Workers' Compensation Manager, the City Manager or designee and the City Attorney or designee and is authorized to approve on behalf of the City of Sacramento the settlement of workers' compensation claims when such settlement exceeds \$25,000 but is not greater than \$50,000.

5. The City Council shall approve the settlement of workers' compensation claims when such settlement exceeds \$50,000.
6. The City Manager or designee is authorized to approve on behalf of the City of Sacramento the settlement of tort claims when such settlement is in the amount of \$25,000 or less.
7. A committee to be known as the Tort Claims Committee is hereby established, to be comprised of the City Manager or designee, a management employee designated by the City Manager and the City Attorney or designee and is authorized to approve on behalf of the City of Sacramento the settlement of tort claims when such settlement is exceeds \$25,000 but is not greater than \$50,000.
8. The City Council shall approve the settlement of tort claims when such settlement exceeds \$50,000.

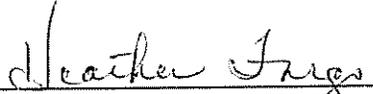
Adopted by the City of Sacramento City Council on October 11, 2005 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None

Abstain: None

Absent: None

  
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Mayor Heather Fargo

Attest:

  
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Shirley Concolino, City Clerk