

RESOLUTION NO. _____

**RESOLUTION DELEGATING AUTHORITY FOR THE COUNTY RISK
MANAGER TO ALLOW, SETTLE OR COMPROMISE CLAIMS, AND
PENDING ACTIONS AND DELEGATING CERTAIN OTHER LITIGATION
STRATEGY ITEMS TO COUNTY COUNSEL**

WHEREAS, the Board of Supervisors is authorized by the provisions of Section 935.4 and 949 of the Government Code of California to delegate authority by ordinance or resolution to an employee of the County of Humboldt to perform those functions of the governing body of the public entity to allow, settle, or compromise claims and pending actions against the County of Humboldt; and

WHEREAS, the Board of Supervisors delegated authority in 1983 for the County Risk Manager to allow, settle, or compromise claims not exceeding \$20,000 (Resolution No. 83-65); and

WHEREAS, the Board of Supervisors increased this settlement authority in 2006 to \$25,000 (Resolution No 06-59); and

WHEREAS, the County Administrative Officer has recommended that authority be delegated to the County Risk Manager, pursuant to Section 935.4 and 949 of the Government Code, to allow, settle, or compromise claims or any pending action against the County of Humboldt for an amount not exceeding Thirty Thousand Dollars (\$30,000); and

WHEREAS, it furthers effective and efficient government operations and liability management to amend the amounts of delegated settlement authority and to delegate certain other litigation strategy decisions to County Counsel.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Board of Supervisors of the County of Humboldt hereby delegates authority to the County Risk Manager to allow, settle, or compromise claims or pending actions against the County of Humboldt, including but not limited to, workers' compensation actions, if the amount to be paid pursuant to such allowance, settlement, or compromise does not exceed Thirty Thousand Dollars (\$30,000.00) per claim or action.

2. That the Board of Supervisors of the County of Humboldt hereby delegates authority to the County Risk Manager to perform the functions described in Government Code Sections 900-935.4, which includes but is not limited to the following: provide claims forms, give notice of insufficiency of claims, rule on applications for leave to present late claims, agree to extend the time for action on a pending claim, act on claims including rejecting claims, reexamine previously-rejected claims for purpose of settlement, process claims presented under contractual claims procedures, and process claims presented under charter, ordinance, or regulation procedures.

3. That the Auditor-Controller of the County of Humboldt is hereby authorized and directed to cause warrants to be issued upon the treasury of Humboldt County in the amount for which a claim or action that has been allowed, settled, or compromised by the County Risk Manager pursuant to the authority of the Resolution so long as the amount to be paid pursuant to such allowance, compromise, or settlement does not exceed Thirty Thousand Dollars (\$30,000.00) per claim or action.

4. The Board of Supervisors hereby delegates to County Counsel the authority to determine whether or not it is in the best interests of the County to:

- a) file cross-complaints, cross-claims, subrogation claims or collection actions;
- b) enter into tolling agreements;
- c) waive potential conflicts of interest in retaining outside counsel (actual conflicts of interest posed by retaining outside counsel still must be approved by the Board).

8. Resolution 06-59 is hereby repealed.

Chair

Adopted on motion by Supervisor _____, seconded by Supervisor _____ and the following vote:

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors--
ABSTAIN: Supervisors--

