

RESOLUTION NUMBER R- 309164

DATE OF FINAL PASSAGE AUG 11 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING REVISIONS TO COUNCIL  
POLICY 000-09 ENTITLED "CLAIMS AGAINST THE CITY"

WHEREAS, in 1965, the City Council adopted a resolution creating Council Policy No. 000-09, entitled "Claims Against the City", which is on file with the Office of the City Clerk; and

WHEREAS, Council Policy No. 000-09 has been amended a number of times since its adoption; and

WHEREAS, the stated purpose of Council Policy 000-09 is to establish a procedure for the efficient administration of claims against the City; and

WHEREAS, Council Policy No. 000-09 provides the standards to follow in the settlement of claims and lawsuits filed against the City of San Diego, and further vests the Director of Risk Management with settlement authority up to and including the amount of Fifty-Thousand Dollars (\$50,000) for water and sewer related claims and Twenty-five Thousand Dollars (\$25,000) for other claims; and

WHEREAS, an administrative revision to Council Policy 000-09 is needed to provide settlement authority to the Claims and Insurance Manager and the Deputy Director of Risk Management, who report to the Director of Risk Management; and

WHEREAS, an administrative revision is also needed to increase the authority to Claims Representatives, which will provide additional negotiating capabilities when engaging claimants in settlement discussions or at mediations, thereby reducing the likelihood of claims escalating to litigation; and

WHEREAS, upon amendment, settlement authority will be for: (1) claims not exceeding Seven Thousand Dollars (\$7,000), field authority with Claims Representatives, with approval of the Supervising Claims Representative; (2) claims not exceeding Ten Thousand Dollars (\$10,000), with the Supervising Claims Representative; (3) claims not exceeding Fifteen Thousand Dollars (\$15,000), with the Claims and Insurance Manager (4) claims not exceeding Twenty-Five Thousand Dollars (\$25,000) with the Director and Deputy Director of Risk Management for non-water and non-sewer claims; and (5) claims not exceeding Fifty Thousand Dollars (\$50,000) with the Director and Deputy Director of Risk Management for water and sewer related claims; and


WHEREAS, this proposed increase in settlement authority is supported by the Office of the City Auditor as per their Audit report of August, 2010; and

WHEREAS, these revisions to Council Policy 000-09 have been proposed to and approved by the Economic Development and Intergovernmental Relations Committee, with changes, on July 2, 2014; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that Council Policy 000-09, entitled "Claims Against the City", is amended as set forth in the Council Policy No. 000-09 filed in the Office of the City Clerk as Document No. RR- **309164**

BE IT FURTHER RESOLVED, that the City Clerk is instructed to update the Council Policy Manual to include the revised Council Policy No. 000-09.

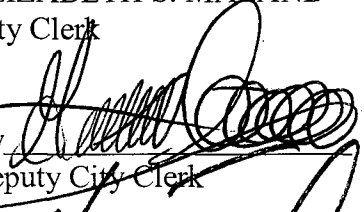
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
William Gersten  
Deputy City Attorney

WG:hm  
7/15/2014  
7/28/2014 COR.COPY  
Or.Dept:Risk  
Doc. No. 822881\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 29 2014

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/11/14  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 29 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 11 2014

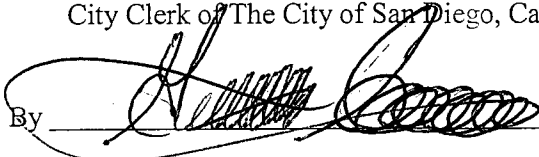
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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