

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
3 CALIFORNIA, AMENDING THE CITY'S SETTLEMENT AUTHORITY  
4 PROCESSES BY REPEALING RESOLUTION NO. 18177, WHICH  
5 AMENDMENT IS TO BE EFFECTIVE UPON ADOPTION.

6 WHEREAS, Section 935.4 of the Government Code specified that a local public entity  
7 may, by ordinance or resolution, authorize an employee of the local public entity to allow,  
8 compromise, or settle a claim against the local public entity in an amount not to exceed fifty  
9 thousand dollars (\$50,000); and

10 WHEREAS, the City has not updated its settlement authority resolution since 1993 and  
11 as a result, it is outdated and not consistent with the City's current practices; and

12 WHEREAS, it has been proposed that the City authorize the Risk Supervisor of the  
13 Claims Handling Division to compromise or settle Government Tort Claims up to two thousand  
14 five hundred dollars (\$2,500.00); and authorize supervising Assistant City Attorneys to  
15 compromise or settle Government Tort Claims and/or lawsuits up to five thousand dollars  
16 (\$5,000.00); and

17 WHEREAS, it has been proposed to maintain the other current settlement authority levels  
18 that authorize: the City Attorney to compromise or settle Government Tort Claims and/or  
19 lawsuits up to fifteen thousand dollars (\$15,000.00) and the City Manager to compromise or  
20 settle Government Tort Claims and/or lawsuits up to twenty-five thousand dollars (\$25,000.00);

21 WHEREAS, based on the City Attorney Office's continued effort to pursue subrogation  
22 matters to seek reimbursement from third parties who damage City property and/or injure City  
23 employees which require the City to pay workers compensation benefits, and to seek recovery  
24 from vendors/contractors for breach of contract with the City, it is proposed that the resolution  
25 regarding settlement authority to settle claims and lawsuits against the City also provide express  
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1 authority for the City to approve funds that are paid to the City in litigated collections, breach of  
2 contract, and subrogation cases; and

3 WHEREAS, it is proposed that authority to approve the receipt of money to resolve  
4 litigated cases filed by the City Attorney's Office mirror the settlement authority levels for the  
5 pay out of money for consistency purposes; and

6 NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Riverside as  
7 follows:

8 1. Resolution No. 18177 shall be repealed and shall no longer have legal effect as of  
9 the effective date of this resolution.

10 2. The City employees designated below are authorized to 1) compromise or settle  
11 Government Tort claims or lawsuits against the City, as well as to 2) compromise or settle  
12 collections, breach of contract, and subrogation cases that have been filed in court by the City  
13 Attorney's Office in the following amounts:

14 a. The Risk Supervisor of the Claims Handling Division: up to and including two  
15 thousand five hundred dollars (\$2,500.00); and

16 b. Supervising Assistant City Attorneys: up to and including five thousand dollars  
17 (\$5,000.00); and

18 c. The City Attorney: up to and including fifteen thousand dollars (\$15,000.00); and

19 d. The City Manager (or his/her designee if specifically designated in writing by the  
20 City Manager to act as his/her designee for a particular matter): up to and including twenty-five  
21 thousand dollars (\$25,000.00); and

22 e. Anything above twenty-five thousand dollars (\$25,000.00) must be approved by  
23 City Council.

24 3. This Resolution shall become effective upon adoption.

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1 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk  
2 this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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4 \_\_\_\_\_  
5 PATRICIA LOCK-DAWSON  
6 Mayor of the City of Riverside

7 \_\_\_\_\_  
8 DONESIA GAUSE  
9 City Clerk of the City of Riverside

10 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
11 foregoing resolution was duly and regularly adopted at a meeting of the City Council on the  
12 \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote, to wit:

13 Ayes:

14  
15 Noes:

16 Absent:

17 Abstained:

18  
19 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of  
20 the City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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22  
23 \_\_\_\_\_  
24 DONESIA GAUSE  
25 City Clerk of the City of Riverside

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28  
21-0832