

LEGISLATIVE DIGEST

[Administrative Code - Settlement of Claims and Lawsuits]

Ordinance amending the Administrative Code to increase the amount that the Board of Supervisors delegates to the City Attorney to settle claims and lawsuits in favor of and against the City from no more than \$25,000 to no more than \$100,000; require the City Attorney to annually report settlements between \$25,000 and \$100,000 to the Board of Supervisors and the Mayor; increase the amount the Board of Supervisors delegates to the Human Resources Director with the approval of the City Attorney to settle grievances under labor memoranda of understanding from \$50,000 to \$100,000; and to update and modernize other provisions concerning claims and lawsuits.

Existing Law

The Charter provides the City Attorney authority to settle legal claims involving the City with approval of the Board of Supervisors. The Board of Supervisors may only approve settlements upon the City Attorney's recommendation. The Administrative Code authorizes the City Attorney to settle litigated and unlitigated claims in favor of and against the City for up to \$25,000 without Board of Supervisors approval. The City Attorney is required to report settlements up to \$25,000 to the Board of Supervisors and the affected City departments and commissions. The Human Resources Director, with the City Attorney's approval, is authorized to settle grievances under labor memoranda of understanding for up to \$50,000.

Amendments to Current Law

The proposed ordinance would increase the amount the Board of Supervisors delegates to the City Attorney to settle litigated and unlitigated claims in favor of and against the City to \$100,000. The Human Resources Director's authority to settle grievances with the City Attorney's approval would also be increased to \$100,000. The proposed ordinance would require the City Attorney to annually report to the Board of Supervisors and the Mayor the settlements the City Attorney executed between \$25,001 and \$100,000 in the previous fiscal year.

The proposed ordinance also modernizes provisions of the Administrative Code concerning the procedures for submitting pre-lawsuit claims to the City. It reorganizes the provisions that address settlement of claims and lawsuits discussed above and removes certain obsolete provisions, including provisions regarding the settlement of minor's claims and requests for waiver of the statute of limitations. Finally, the proposed ordinance makes amendments to conform to the Charter's provisions concerning settlements.