



Legislation Details (With Text)

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Title: MOTION TO APPROVE RESOLUTION NO. 79-18 TO ESTABLISH SETTLEMENT AUTHORITY LIMITS FOR ALL PROPERTY DAMAGE, BODILY INJURY AND OTHER CLAIMS AND LITIGATION AND APPROVE SPECIAL COUNSEL TO BE RESPONSIBLE FOR LEGAL MATTERS RELATED TO WORKERS' COMPENSATION CLAIMS

Sponsors: City Attorney Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Res 79-18 Settlement Authority and Workers Comp Attorneys, 3. Administrative Policies and Procedures Manual RM-2, Rev. 3, 4. Rate Sheet 1, 5. Rate Sheet 2

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------|----------|--------|
| 7/10/2018 | 1 | City Commission | approved | |

TO: Mayor and Commissioners
FROM: R. Max Lohman, City Attorney
DATE: July 10, 2018

MOTION TO APPROVE RESOLUTION NO. 79-18 TO ESTABLISH SETTLEMENT AUTHORITY LIMITS FOR ALL PROPERTY DAMAGE, BODILY INJURY AND OTHER CLAIMS AND LITIGATION AND APPROVE SPECIAL COUNSEL TO BE RESPONSIBLE FOR LEGAL MATTERS RELATED TO WORKERS' COMPENSATION CLAIMS

Recommended Action:

Motion to approve Resolution 79-18.

Background:

Administrative Policy RM-2, Rev.3, "Risk Management," specifies the settlement authority for the City Manager, Risk Management Division and City Attorney. This Resolution would increase the settlement authority for the City Manager to \$65,000, which is consistent with the City Manager's Purchasing Authority. In addition, the City Attorney's settlement authority would increase to \$25,000 (previously \$10,000 for bodily injury and other claims and litigation) and the Risk Management Division's settlement authority to \$15,000 (previously \$10,000 for property damage claims).

In addition, Resolution 79-18 approves the appointment of special counsel for Workers' Compensation Claims. The City's Risk Manager, Eddie DeMicco, obtained fee letters from two local law firms that specialize in this area of law. Based on the City's rapport with these two firms and their proposed rate to provide these services to the City, the City Attorney's Office recommends approval of these two firms.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A