

RESOLUTION NO. 2578

A RESOLUTION OF THE CITY OF EL PASO DE ROBLES
AUTHORIZING THE ADJUSTMENT AND
SETTLEMENT OF CLAIMS AGAINST THE CITY

WHEREAS, the City of El Paso de Robles is a member of the Central Coast Cities Joint Powers Agreement (CCCJPA) for insurance purposes; and

WHEREAS, as a result, the City receives the services of an independent CCJPA adjustor and investigative services and will defend claims filed against it; and

WHEREAS, for the expedient settlement of claims necessary to minimize costs of the City, it is necessary that the Staff and the Adjustor have specified authority on behalf of the City to immediately enter into Settlement Agreements without prior authorization of the Council.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Upon investigation and determination by the CCCJPA adjustor for the City, that the City appears to be partially or fully liable by reason of an incident or accident resulting in a claim against the City, the Adjustor shall have the authority to enter into Settlement Agreements on claims that do not exceed One Thousand and no/100ths (\$1000.00) Dollars. This authority may be suspended or reduced at any time by the City Manager.
2. When a claim against the City exceeds One Thousand and no/100ths (\$1000.00) Dollars and it is determined that the City appears to be partially or fully liable for the claim, the City Manager shall have the authority to enter into a Settlement Agreement to settle the claim up to the amount of Five Thousand and no/100ths (\$5000.00) Dollars. Any such Settlement Agreement shall be signed by both the City Manager and the City Attorney.
3. All proposed settlement of claims in which the Staff cannot reach concurrences to settle as provided in 2 above, or which amount to Five Thousand and no/100ths (\$5000.00) Dollars or more, shall be referred to the City Council for determination.
4. The Claims Adjustor employed by the CCCJPA shall be authorized to reject any claim filed against the City pursuant to and on the appropriate grounds set forth in Title 1, Division 3.6, Part 3, Chapter 2 of the Government Code of the State of California.