

DEPARTMENT: Personnel/Risk Management BY: Richard J. Benson PHONE: 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:**

Provide the County Administrative Officer (CAO), who is the Risk Manager, the authority to reject Liability claims against the County up to a maximum of \$10,000. Currently, the Board of Supervisors is the sole authority to reject Liability claims including claims that are a low dollar amount, such as those relating to pothole vs. tire damage as well as rock vs. windshield damage. (The CAO/Risk Manager presently has the authority to settle claims up to a maximum of \$10,000.)

In order to streamline the rejection of claims process, it is recommended that the CAO/Risk Manager have the authority to reject claims such as these and any others that are presented in the amount of \$10,000 or less. Staff will continue to request from the appropriate department an investigation report of the incident relative to the claim and based on that report, the CAO/Risk Manager will make a decision to either reject or approve the claim. The claim process will then continue as is currently carried out by notifying the claimant of the rejection or approval of their claim.

Government Code section 935.4 allows the Board to delegate this authority to an employee of the local public entity by either ordinance or resolution.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

No background or history on this particular action, however, the Board of Supervisors has previously provided the CAO the authority to settle Liability and Workers' Compensation claims up to a maximum of \$10,000.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

A negative action would result in a less streamlined process and the Board will continue to be faced with dealing with the low dollar claims.

Financial Impact? ( ) Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Resolution..
Source:		
Internal Transfer		
Unanticipated Revenue	_____ 4/5's vote	
Transfer Between Funds	_____ 4/5's vote	
Contingency	_____ 4/5's vote	
( ) General ( ) Other		

**CLERK'S USE ONLY:**

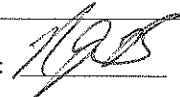
Res. No.: 02-311 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Approved  
 Minute Order Attached ( ) No Action Necessary

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
 Attest: MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California  
 By: \_\_\_\_\_  
 Deputy

CAO: 

**RESOLUTION NO. 07-311**

**RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER  
THE AUTHORITY TO APPROVE AND REJECT LIABILITY CLAIMS  
AND APPROVE WORKERS' COMPENSATION CLAIMS UP TO \$10,000**

WHEREAS, pursuant to Government Code section 935.4, the Board of Supervisors may authorize an employee to reject Liability claims or to allow, compromise, or settle Liability claims against Mariposa County; and

WHEREAS, on October 14, 2003, the Board of Supervisors approved Resolution No. 03-369 which authorized the County Administrative Officer to settle and approve payment of Liability and Workers' Compensation claims up to Ten Thousand Dollars (\$10,000); and

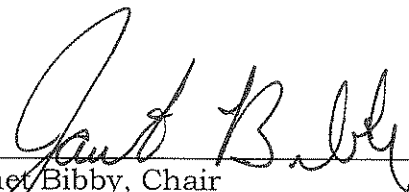
WHEREAS, streamlining the Liability claim process by allowing the County Administrative Officer to reject Liability claims would provide for a more timely and cost-effective processing of these claims;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Mariposa as follows:

Resolution No. 03-369 is amended to conform with the following: The County Administrative Officer is hereby authorized to reject Liability claims or to compromise, allow, or settle Liability and Workers' Compensation claims against the County up to Ten Thousand Dollars (\$10,000). Relative to settlement of claims, upon written order of the County Administrative Officer or his/her designee(s), the Auditor shall issue a warrant upon the public treasury in the amount for which the claim has been allowed, settled, or compromised up to Ten Thousand Dollars (\$10,000).

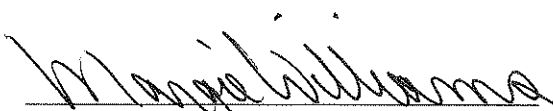
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this  
26th day of June 2007 by the following vote:

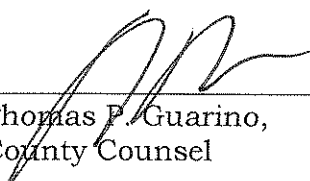
AYES:	ABORN, TURPIN, BIBBY, FRITZ, PICKARD
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE

  
\_\_\_\_\_  
Janet Bibby, Chair  
Mariposa County Board of Supervisors

APPROVED AS TO FORM

ATTEST:

  
\_\_\_\_\_  
Margie Williams  
Clerk of the Board

  
\_\_\_\_\_  
Thomas P. Guarino,  
County Counsel



# COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR  
LYLE TURPIN, VICE CHAIR  
BRAD ABORN  
DIANNE A. FRITZ  
BOB PICKARD

DISTRICT III  
DISTRICT II  
DISTRICT I  
DISTRICT IV  
DISTRICT V



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: RICHARD J. BENSON, CAO  
FROM: MARGIE WILLIAMS, Clerk of the Board  
SUBJECT: Adopt a Resolution Providing the County Administrative Officer (CAO), who is the Risk Manager, the Authority to Reject Liability Claims Against the County up to a Maximum of \$10,000

RESOLUTION 07-311

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 26, 2007

#### ACTION AND VOTE:

Adopt a Resolution Providing the County Administrative Officer (CAO), who is the Risk Manager, the Authority to Reject Liability Claims Against the County up to a Maximum of \$10,000 (County Administrative Officer/Personnel/Risk Manager)

**BOARD ACTION:** Discussion was held with Rick Benson. It was agreed that the County Administrative Officer would prepare an informational item for the Board for each claim that is rejected. Discussion was continued for the following hearing to be opened.

**11:00 a.m.** The public hearing for Appeal No. 2007-85 was opened and continued until after the following matters.

Further discussion was held on the liability claims processing. There was no public input. (M)Fritz, (S)Aborn, Res. 07-311 was adopted approving the recommended action/Ayes: Unanimous.

Cc: Thomas P. Guarino, County Counsel  
Chris Ebie, Auditor  
Sandi Laird, Administrative Analyst  
File