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Title: ***BILL NO. B-68 - (Intro. 11/9/2017) (For adoption) - Amending Subsection (b) of Section 7-910 of the Fresno Municipal Code, relating to collection compromise and write-off of claims of the City against others (Subject to Mayor's veto)

Sponsors: Office of Mayor & City Manager, Personnel Services Department, City Attorney's Office

Indexes:

Code sections:

Attachments: 1. Ordinance Amending FMC Section 7-910.pdf

Date	Ver.	Action By	Action	Result
12/7/2017	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

December 7, 2017

FROM: DOUGLAS T. SLOAN, City Attorney
City Attorney's Office

BY: TINA R. GRIFFIN, Assistant City Attorney
KENNETH J. JORGENSEN, Deputy City Attorney
City Attorney's Office

SUBJECT

***BILL NO. B-68 - (Intro. 11/9/2017) (For adoption) - Amending Subsection (b) of Section 7-910 of the Fresno Municipal Code, relating to collection compromise and write-off of claims of the City against others (Subject to Mayor's veto)

RECOMMENDATION

Approve the attached ordinance amending Subsection (b) of Section 7-910 of the Fresno Municipal Code, relating to the write-off of workers' compensation costs incurred by the City in third-party subrogation litigation cases.

EXECUTIVE SUMMARY

The attached ordinance amends the Fresno Municipal Code by increasing the authority of the City

Manager to approve settlements and write-offs of third-party subrogation cases relating to workers' compensation costs and property reimbursements up to one hundred fifty thousand dollars (\$150,000).

BACKGROUND

The City Administrative Officer (CAO), City Attorney, City Controller and Risk/Safety Manager currently have varying levels of discretion to write-off claims, including claims the City has against third-parties to recover workers' compensation costs and property losses incurred by the City.

The proposed ordinance amends the Fresno Municipal Code by increasing the authority of the CAO to write-off claims in third-party subrogation cases relating to incurred workers' compensation costs and property losses. The proposed ordinance would grant the CAO authority to approve a write-off of workers' compensation costs and property damage losses of up to one hundred fifty thousand dollars (\$150,000).

The proposed ordinance will increase the CAO authority by hundred thousand dollars (\$100,000), increasing the current authority of fifty thousand dollars (\$50,000) to one hundred fifty thousand dollars (\$150,000).

Amounts exceeding one hundred fifty thousand (\$150,000) authorized limits will be submitted to the City Council for approval.

FISCAL IMPACT

The Fiscal Impact is negligible, as the amendment provides the authority to settle or compromise claims or pending litigation, and write-off uncollectible third-party subrogation cases relating to workers' compensation cases and property loss cases.