



## Legislation Details (With Text)

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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**

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City Attorney's Office

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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.