

1 BOARD OF SUPERVISORS
2 OF THE COUNTY OF FRESNO
3 STATE OF CALIFORNIA
4 RESOLUTION NO. 17-306

5 RESOLUTION AUTHORIZING COUNTY ADMINISTRATIVE OFFICER TO SETTLE
6 LEGAL DISPUTES AND LITIGATION AND FURTHER AUTHORIZING COUNTY
7 COUNSEL TO WAIVE LITIGATION COSTS

8 WHEREAS, the County of Fresno ("County") Board of Supervisors delegated
9 authority to the County Risk Manager to pay liability claims in the amount of five
10 thousand dollars (\$5,000) or less and to the Director of Human Resources to pay
11 liability claims in the amount of ten thousand dollars (\$10,000) or less under
12 Resolution Number 93-313; and

13 WHEREAS, California Government Code §935.4 permits delegations by the
14 Board of Supervisors of settlement authority to County staff up to the amount of fifty
15 thousand dollars (\$50,000); and

16 WHEREAS, the Board of Supervisors has determined that in the interest of
17 efficiency and cost reduction that the County Administrative Officer should be granted
18 additional authority to settle all manner of legal disputes, proceedings, actions, claims
19 and litigation involving the County in which the amount in dispute does not exceed fifty
20 thousand dollars (\$50,000); and

21 WHEREAS, the Board of Supervisors has determined it is in the best interest of
22 the County to allow the County Counsel to obtain dismissal of minor legal actions
23 against the County in the County's favor or interest;

24 **NOW, THEREFORE, BE IT RESOLVED:**

25 1. The County Administrative Officer is granted authority to settle, compromise
26 or resolve all legal disputes, claims, proceedings, actions or litigation in which the
27 County is a party and in which the amount in controversy does not exceed fifty
28 thousand (\$50,000) dollars. The County Administrative Officer is further granted
authority to execute any necessary agreement, release or waiver to effectuate such
settlements so long as the amount in controversy does not exceed fifty thousand

1 (\$50,000) dollars.

2 **2.** The County Counsel may waive legal costs in a litigation matter up to the
3 amount of one thousand five hundred dollars (\$1,500) in exchange for the dismissal of
4 an action against the County. Whenever said action is a matter being handled by or
5 paid for by the Risk Management Division, any such waiver by the County Counsel
6 shall be done with the approval of the Risk Manager.

7 **3.** The Auditor Controller Treasurer Tax Collector of the County of Fresno is
8 authorized to issue any warrant or check necessary to pay for any amount
9 compromised, settled or resolved under the authority granted the County
10 Administrative Officer under this Resolution.

11 **4.** Notwithstanding anything in this Resolution, any legal disputes, claims,
12 proceedings, actions or litigation that involve matters of unusual public importance or
13 that exist between the County and another public entity shall be referred to the Board
14 of Supervisors for settlement authority regardless of the amount in controversy.

15 **5.** The County Counsel shall provide regular reports to the Board of
16 Supervisors on matters compromised, settled, dismissed or resolved pursuant to this
17 Resolution.

18 **6.** The authority of the Human Resources Director in the amount of ten
19 thousand dollars (\$10,000) per claimant and of the Risk Manager in the amount of five

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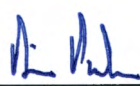
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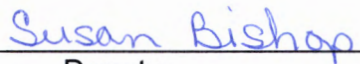
1 thousand dollars (\$5,000) per claimant with respect to risk management liability claims
2 against the County shall remain in place and is not affected by this Resolution.

3 THE FOREGOING was passed and adopted by the following vote of the Board
4 of Supervisors of the County of Fresno this June 6th 2017.

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6 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero
7 NOES: None
8 ABSENT: None

9 By: 
10 Brian Pacheco, Chairman
11 Board of Supervisors
12

13 ATTEST:
14 BERNICE E. SEIDEL, Clerk
15 Board of Supervisors

16 By: 
17 Deputy
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