

BOARD OF SUPERVISORS
SAN BERNARDINO COUNTY

SUMMARY OF PROPOSED ORDINANCE

Notice is hereby given that at 10:00 A.M. on Tuesday, _____, at its regularly scheduled meeting, the San Bernardino County Board of Supervisors will consider adoption of an ordinance to amend Sections 12.1907 and 12.3405 of the San Bernardino County Code relating to the Authority of the County Counsel and the Risk Manager.

Ordinance Summary

The proposed ordinance will amend Section 12.1907 of the County Code to authorize the County Counsel or designee, with consent of the involved department, to file a lawsuit or other legal action to seek compensation for damage to property or injury to an employee while the employee is in the course and scope of their employment. The County Counsel or designee is authorized to settle claims and lawsuits provided the settlement does not exceed \$50,000, the County Department or other Board governed entity involved and any outside counsel involved agree with the settlement, an insurance company does not have the ability to settle the claim, it is not handled by the Risk Management Department, and does not involve an employee or former employee's claim that alleges, solely, entitlement to back-pay. County Counsel is authorized to settle claims or lawsuits filed by the County or other Board governed entity where the settlement is no more than \$50,000 less than what is owed to the County or Board governed entity. The County Counsel or designee is also authorized to settle certain workers' compensation cases.

The proposed ordinance will amend Section 12.3405 of the County Code related to the authority of the Risk Manager. It authorizes the Risk Manager or designee, with consent from the County Counsel, to agree to the filing of a lawsuit or other legal action to seek compensation for damage to property or injury to an employee while the employee is in the course and scope of their employment. The Risk Manager is authorized to settle any tort liability claim or lawsuit provided the settlement does not exceed \$50,000, County Counsel agrees with the settlement, and the claim or lawsuit is not subject to an insurance policy where the insurance company has the authority to settle the claim or lawsuit. The Risk Manager is authorized to settle any tort liability claim or lawsuit filed by the County or other Board governed entity provided the settlement is no more than \$50,000 less than what is owed to the County or Board governed entity. The Risk Manager or designee is authorized to settle workers' compensation cases or to settle lawsuits seeking to recover workers' compensation benefits under certain circumstances.

A certified copy of the full text of this proposed ordinance is posted for public review in the Office of the Clerk of the Board of Supervisors at 385 North Arrowhead Avenue, 2nd Floor, San Bernardino, California.

BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY

DAWN ROWE, Chair
Board of Supervisors

ATTEST:

LYNNA MONELL
Clerk of the Board of Supervisors