



## Legislation Details (With Text)

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|-----------------------|--|----------------------|----------------------|
| <b>File #:</b>        | 19-00279   | <b>Version:</b>      | 1                    |
| <b>Type:</b>          | Agenda Item  | <b>Status:</b>       | Passed               |
| <b>File created:</b>  |  | <b>In control:</b>   | BOARD OF SUPERVISORS |
| <b>On agenda:</b>     | 4/2/2019   | <b>Final action:</b> | 4/2/2019             |
| <b>Title:</b>         | <p>Consider recommendations regarding delegation of settlement authority to County Counsel, not to exceed \$50,000.00, as follows:</p> <p>a) Pursuant to Government Code section 949, delegate to County Counsel the authority to settle pending litigation actions for a net payment of County funds not to exceed \$50,000.00 per action, provided that:</p> <p>i) The action is not one where a litigant seeks to compel the County to exercise the County's authority concerning land use, permitting, or code enforcement;</p> <p>ii) The settlement would not require the amendment of any County policy, rule, or regulation;</p> <p>iii) Concurrence with the settlement is provided by: A) the director(s) of the County department(s) affected by the settlement; and Risk Management for matters funded by the County's General Liability Fund or Workers' Compensation Fund; and Human Resources for personnel matters; or B) the County Executive Officer;</p> <p>iv) The Board may rescind the delegation of authority at any time; and</p> <p>v) County Counsel shall not re-delegate the authority; and shall report to the Board periodically on settlements made with the delegated authority; and</p> <p>b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.</p> |                      |                      |
| <b>Sponsors:</b>      | COUNTY COUNSEL   |                      |                      |
| <b>Indexes:</b>       |  |                      |                      |
| <b>Code sections:</b> |  |                      |                      |
| <b>Attachments:</b>   | 1. Board Letter, 2. Minute Order   |                      |                      |

| Date     | Ver. | Action By            | Action               | Result |
|----------|------|----------------------|----------------------|--------|
| 4/2/2019 | 1    | BOARD OF SUPERVISORS | Acted on as follows: | Pass   |

Consider recommendations regarding delegation of settlement authority to County Counsel, not to exceed \$50,000.00, as follows:

a) Pursuant to Government Code section 949, delegate to County Counsel the authority to settle pending litigation actions for a net payment of County funds not to exceed \$50,000.00 per action, provided that:

i) The action is not one where a litigant seeks to compel the County to exercise the County's authority concerning land use, permitting, or code enforcement;

- ii) The settlement would not require the amendment of any County policy, rule, or regulation;
  - iii) Concurrence with the settlement is provided by: A) the director(s) of the County department(s) affected by the settlement; and Risk Management for matters funded by the County's General Liability Fund or Workers' Compensation Fund; and Human Resources for personnel matters; or B) the County Executive Officer;
  - iv) The Board may rescind the delegation of authority at any time; and
  - v) County Counsel shall not re-delegate the authority; and shall report to the Board periodically on settlements made with the delegated authority; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.