

RESOLUTION NO. 7519-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, ESTABLISHING ADMINISTRATIVE PROCEDURES FOR THE RESOLUTION OF CLAIMS MADE AGAINST THE CITY OF GARDEN GROVE

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City Council of the City of Garden Grove hereby establishes the following administrative procedures for the resolution of claims files against the City pursuant to government Code sections 800 et seq., and Code of Civil Procedure section 1094.5.

1. CLAIMS BOARD/INSURANCE PROGRAM ADMINISTRATOR

There is hereby established a Claims Board of the City of Garden Grove which shall consist of four (4) members, to wit:

- (a) The City Manager or the City Manager's designated representative;
- (b) The City Attorney or the City Attorney's designated representative;
- (c) The Controller or the Controller's designated representative;
- (d) The Insurance Program Administrator.

The Insurance Program Administrator shall act as chairperson, unless the Claims Board otherwise designates another chairperson.

2. SETTLEMENT AUTHORITY

Pursuant to Government Code section 935.4, the Insurance Program Administrator and the Claims Board shall have settlement authority over claims as follows:

- (a) The Claims Board shall have authority to settle claims in the amount of up to, and including, \$15,000.
- (b) The Insurance Program Administrator shall have authority to settle claims up to, and including, the amount of \$10,000. The settlement of claims of between \$5,000 to \$10,000 shall be with the consent of the City Attorney.

The Insurance Program Administrator may, at his/her discretion, submit claims of less than \$10,000 to the Claims Board for settlement authority.

3. ACCEPTANCE AND DENIAL OF CLAIMS

The Insurance Program Administrator shall have authority to deny claims of \$10,000 or less. The Claims Board shall have authority to deny claims of \$15,000 or less.

4. OTHER ADMINISTRATIVE PROCEDURES

The City Controller is hereby directed to make payments in accordance with the decisions of the Insurance Program Administrator and the Claims Board.

The Claims Board shall adopt administrative procedures from time to time for the conduct of their meetings, and the Board shall submit quarterly reports to the City Council concerning all Board action.

5. JUDICIAL REVIEW OF QUASI-JUDICIAL ACTIONS

Any claim or action brought to challenge a quasi-judicial act of the City Council, or its Boards or Commissions, shall be subject to the requirements of Code of Civil Procedure section 1094.6.

6. REPEALER

Resolution 6934-87 is hereby repealed in its entirety.

ADOPTED this 17th day of November, 1992



MAYOR

ATTEST:



CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, CAROLYN MORRIS, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting thereof held on the 17th day of November, 1992, by the following vote:

AYES: COUNCILMEMBERS: (5) DINSEN, KESSLER, LEYES, WILLIAMS, DONOVAN
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE


CITY CLERK