



Pinellas County

Legislation Details (With Text)

File #: 20-1112A **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/15/2020 **In control:** Board of County Commissioners

On agenda: 7/21/2020 **Final action:** 7/21/2020

Title: Ordinance amending Section 2-142 of the Pinellas County Code, providing that the Risk Finance Ordinance be amended to modify the procedure for approving and rejecting settlement demands.

Sponsors:

Indexes:

Code sections:

Attachments: 1. State-filed Ordinance 20-18, 2. Adopted ORD 20-18, 3. Affidavit of Publication - Notice of Public Hearing, 4. Proposed Ordinance - strikethrough, 5. Proposed Ordinance - clean and AATFd, 6. Legal Notice

Date	Ver.	Action By	Action	Result
7/21/2020	1	Board of County Commissioners	approved	Pass

Subject:

Ordinance amending Section 2-142 of the Pinellas County Code, providing that the Risk Finance Ordinance be amended to modify the procedure for approving and rejecting settlement demands.

Recommended Action:

Adopt the Ordinance amending Section 2-142 of the Pinellas County Code, providing that the Risk Finance Ordinance be amended to modify the procedure for approving and rejecting settlement demands.

- Adoption of this ordinance allows the County Administrator or his/her designee and the County Attorney joint discretion to reject settlement offers between \$25,000.00 and \$200,000.00.
- All other settlements not specifically addressed herein shall be brought before the Board of County Commissioners (Board) for a vote.
- Approvals under this ordinance are brought before the Board on a delegated receipt and file report.
- The Board established the Risk Financing program through the adoption of Ordinance 79-15 on May 22, 1979.
- Current method of operation-the Board delegated limited authority on September 10, 2002 through the adoption of Ordinance 02-70 for the County Administrator and County Attorney to settle all matters between \$25,000.00 and \$50,000.00 but requires that all matters above \$50,000.00 be brought before the Board for consideration.

Strategic Plan:

Deliver First Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

Summary:

Adoption of this ordinance allows the County Administrator or his/her designee and the County Attorney joint discretion to reject settlement offers between \$25,000.00 and \$200,000.00.

The County Administrator or his/her designee currently has sole discretion to settle or reject settlement of all risk matters up to \$25,000.00, and the County Administrator or his/her designee and the County Attorney currently have joint discretion to settle all matters between \$25,000.00 and \$50,000.00.

Background Information:

The Board established the Risk Financing Program through the adoption of Ordinance 79-15 on May 22, 1979. The Board further delegated limited authority on September 10, 2002 through the adoption of Ordinance 02-70 for the County Administrator and County Attorney to settle matters but requires that all matters above \$50,000.00 be brought before the Board for consideration.

At the time Ordinance 02-70 was adopted, the sovereign immunity limits were set at \$100,000.00 per claim and \$200,000.00 per occurrence. The sovereign immunity limits are currently set at \$200,000.00 per claim and \$300,000.00 per occurrence.

Multiple settlement offers will often be made in a single case resulting in the same case repeatedly heard before the Board for rejection when the offers exceed the current delegated authority. Due to applicable time frames for both the agenda, as well as proposals for settlement, it is not always possible to bring settlement offers to the Board in a timely fashion. Increasing the delegated authority to resolve claims within the Risk Finance Program is consistent with other delegation and would allow for more efficient resolution of claims and lawsuits.

Fiscal Impact:

There is no fiscal impact with this change.

Staff Member Responsible:

Jewel White, County Attorney

Joe Lauro, Director, Administrative Services

Merry Celeste, Division Director, Purchasing and Risk, Administrative Services

Partners:

N/A

Attachments:

Proposed Ordinance - clean

Proposed Ordinance - strikethrough