



**MEMORANDUM**  
OFFICE OF THE  
COUNTY EXECUTIVE OFFICE  
COUNTY OF PLACER

TO: Honorable Board of Supervisors

FROM: Thomas Miller, County Executive Officer  
By: Mark J. Giacomini, Budget Analyst *[Signature]*

DATE: July 11, 2006

SUBJECT: Delegation of Authority to CEO and Risk Manager for Certain Litigation and Claims Contracts and Settlements

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**REQUESTED ACTION**

That your Board adopts a resolution delegating authority to the CEO and Risk Manager to make expenditures in support of the investigation, defense/prosecution, or settlement of litigation, claims and pending claims, up to the amount of \$25,000 and \$10,000, respectively.

**BACKGROUND**

The current County Procurement Policy delegates authority to the County Executive Officer to sign contracts for the retention of firms or individuals where the expertise is not possessed by County personnel, qualified County personnel workload precludes assignment of the work, or where a third party opinion is desirable.

Litigation and Claims expenditures tend to come in three main categories: 1) Settlement Monies; 2) Contracts with Consultants and/or Subject Matter Experts; and 3) Non-Contract Expenditures that may be billed pursuant to an invoice or pursuant to the need to advance a fee without the benefit of an invoice. Due to the inherently unique conditions surrounding each and every litigation and/or claims settlement, rarely would any of the previously mentioned expenditures meet the delegated authority criteria set forth in the County's Procurement Policy.

In order to facilitate the timely, efficient and effective settlement of claims and/or litigation actions within Placer County, it is requested that this specific delegation of authority be granted to both the County Executive Officer and Risk Manager.

**FISCAL IMPACT**

Approval of this item will have no direct impact on the General Fund.

# Before the Board of Supervisors County of Placer, State of California

In the matter of:

**A RESOLUTION APPROVING THE  
DELEGATION OF AUTHORITY TO CEO  
AND RISK MANAGER FOR CERTAIN  
CONTRACTS AND SETTLEMENTS**

Resol. No: \_\_\_\_\_  
Ord. No: \_\_\_\_\_  
First Reading: \_\_\_\_\_

The following RESOLUTION was duly passed by the Board of Supervisors of the  
County of Placer at a regular meeting held July 11, 2006

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Chairman, Board of Supervisors

**Attest:**

**Clerk of said Board**  
\_\_\_\_\_

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**WHEREAS**, the Placer County Board of Supervisors has delegated certain authority to the County Executive Officer and Risk Manager to make expenditures in support of the investigation, defense/prosecution, or settlement of litigation, claims, and pending claims, up to the amount of \$25,000.00 and \$10,000.00, respectively; and

**WHEREAS**, since the initial delegation of authority by the Board and with the passage of time, there have been many changes in personnel, procedures, and the law; and

**WHEREAS**, for this delegation of authority to continue, it is necessary that the Board reauthorize the delegation of authority in the form of this resolution;

**NOW, THEREFORE, BE IT RESOLVED**, that the Placer County Board of Supervisors hereby delegates to the County Executive Officer and/or the Risk Manager, after consultation with the County Counsel's Office, the authority to make and authorize expenditures in support of the investigation, defense/prosecution, or settlement of litigation, claims, and pending claims. The Risk Manager's maximum signature authority in this regard is \$10,000, and the CEO's maximum signature authority is \$25,000.

