

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2024-45 - amended

Introducer/Sponsor(s): Council President at the request of the Sheriff

Date of Introduction: January 9, 2024

Committee(s) of Reference: R, F

Date of Analysis: January 11, 2024

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends Ordinance Code Section 112.307 - Claims and suits brought against the City for monetary relief – in Chapter 112 – Claims by and against the City – and Section 128.313 – Settlement of claims – in Chapter 128 – Risk Management Program - to add language providing that when the City is settling claims made against it seeking monetary relief, constitutional officers (Sheriff, Clerk of Court, Property Appraiser, Tax Collector or Supervisor of Elections) must authorize in writing the settlement of any claim involving their office.

Background Information: The City currently settles non-personal injury, non-accident and other non-tort-related claims for monetary damages in one of four ways, depending on the amount of the settlement. Claims for an amount less than \$5,000 may be settled by the appropriate department head in consultation with the Office of General Counsel. Claims of more than \$5,000 but less than \$10,000 may be settled by the Office of General Counsel with the concurrence of the affected department head. Claims from \$10,000 but not exceeding \$50,000 may be settled by the Mayor upon recommendation of the Office of General Counsel and the concurrence of either the Director of Finance and Administration or the Chair of the City Council Finance Committee. Claims of \$50,000 or greater can only be settled by action of the City Council. In none of the Code sections is there any mention of constitutional officers having the authority to participate in or be consulted about settlements pertaining to claims made against their agency.

Policy Impact Area: Settlement of claims for monetary relief made against constitutional officers

Fiscal Impact: No direct impact; authorizes participation in the settlement process by affected constitutional officers

Analyst: Clements