

2024-45 - Floor Amendments Summary

#	Council Member/No.	Summary of Amendment
1	Rules Committee	<ol style="list-style-type: none"> 1. Clarifies language in Sec. 128.313 regarding approval of employees. 2. Corrects scrivener's errors. 3. Revises language in Sec. 128.313 to: <ol style="list-style-type: none"> a) exclude claims for workers' compensation or property damage and b) clarify that only employees acting within the course and scope of their employment can approve settlements 4. Amends Sec. 128.408 to reference applicable approvals required in Sec. 112.307 and 128.313. 5. Adds a provision requiring Council approval for settlements in which Risk Management and the applicable Constitutional Officer disagree.
2	Finance Committee	<p>Includes Items #1-4 from Rules Amendment as listed above, and</p> <ol style="list-style-type: none"> 5. Adds a provision stating the Council President will make a final determination on settlement in instances in which Risk Management and the applicable Constitutional Officer disagree. 6. Amends Sec. 128.313 to provide that the Council President would be among the authorized parties making a recommendation to the Mayor for settlement of claims within a certain dollar amount in lieu of the Finance Committee Chair.
3	CM Johnson	<p>Includes Items #1-4 from Finance/Rules Amendments as listed above, with the following revised/new items :</p> <ol style="list-style-type: none"> 1. Amends Sec. 112.307(a)(2)(ii) to provide that in the event of a disagreement between the Constitutional Officer (or designee), the General Counsel and either the Director of Finance and Administration (CFO) or the Council President as to the settlement of a claim between \$10,000 and \$50,000 the final determination as to settlement shall be by a concurrence of a majority of those parties. 2. Amends Sec. 112.307(a)(2)(iii) to delete language requiring approval from the Constitutional officer (or designee) for settlements exceeding \$50,000. Retains language that settlement could only occur upon approval of the City Council. 3. Amends Sec. 128.313(a)(2) to provide that settlements of claims that do not exceed \$50,000 (that are not in litigation) may be settled by the CFO or Risk Manager upon approval of the Constitutional Officer and with the concurrence of the General Counsel (or designee). 4. Amends Sec. 128.313(a)(3) to provide that the CFO is authorized to settle claims that do not exceed \$50,000 (that are in litigation) upon approval of the Constitutional Officer (or designee) and with a favorable recommendation from the General Counsel (or designee) and Risk Manager. In the event of a disagreement, the final recommendation as to whether to settle a claim would be by a concurrence of the majority of the Constitutional Officer (or designee), the General Counsel (or designee), and the Risk Manager. 5. Amends Sec. 128.313(a)(4) to provide that the CFO is authorized to settle claims that exceed \$50,000 but do not exceed \$200,000 upon approval of the Constitutional Officer (or designee) and with a favorable recommendation from the Risk Manager and the General Counsel (or designee). In the event of a disagreement, the final recommendation as to whether to settle a claim pursuant to this subsection would be by a concurrence of the majority of the Constitutional Officer (or designee), the General Counsel (or designee), and the Risk Manager. 6. Amends Sec. 128.313(a)(5) to provide that the Mayor is authorized to settle claims that exceed \$200,000 upon approval of the Constitutional Officer (or designee) and upon recommendation of the Risk Manager, the General Counsel (or designee), the CFO and the Council President. In the event of a disagreement, the final recommendation as to whether to settle a claim would be by a concurrence of the majority of the Constitutional Officer (or designee), the General Counsel (or designee), the CFO, the Council President and the Risk Manager.
4	CM Clark-Murray #1	Amends Sec. 128.313(a) to limit written approval by the Constitutional Officers to claims that exceed \$50,000.
5	CM Clark-Murray #2	Establishes a prospective effective date of April 1, 2024 for the Code amendments, repeals and new sections outlined in the Ordinance to allow time for implementation.
6	CM White	Amends Sec. 112.307(a)(2)(iii) to delete language requiring Constitutional Officer approval of claims exceeding \$50,000 and retaining current Code language that these claims would only be settled upon City Council approval.