

## **STAFF REPORT**

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**DATE:** April 11, 2022  
**TO:** Sacramento Regional Transit Board of Directors  
**FROM:** Jamie Adelman, VP, Finance/CFO  
**SUBJ:** REPEAL RESOLUTION 02-06-0158 AND ADOPT WORKERS  
COMPENSATION CLAIM SETTLEMENT AUTHORITY

### RECOMMENDATION

Adopt the Attached Resolution.

### RESULT OF RECOMMENDED ACTION

To Repeal Resolution 02-06-0158 and establish monetary limits for the GM/CEO or designee to compromise and settle workers' compensation claims.

### FISCAL IMPACT

Some minimal cost savings, as a result of not having to prepare or incur additional documentation, support and administrative expenses associated with bringing settlement items to closed session but would increase operational efficiency by allowing settlement offers to be processed in a timelier manner.

### DISCUSSION

Government Code Section 935.4 and 949 provides that a public entity by Ordinance or Resolution, may authorize an employee of the public entity to allow, compromise, or settle claims on behalf of the Board, if the amount to be paid pursuant to the allowance, compromise or settlement exceeds \$50,000.

In June 2002, the Board adopted Resolution 02-06-0158, that currently serves as authority for the GM/CEO or designee to compromise and settle workers' compensation claims in an amount per claim of \$50,000.

On December 13<sup>th</sup>, 2021, the Board adopted the amended and restated Title V Administrative Ordinance (Reso: 21-12-01), providing a special claims procedure to increase the General Manager/CEO's authority to accept, reject, compromise, or settle claims of any type, except for workers' compensation claims, for an amount up to \$150,000. If the Board adopts the the recommended action, settlement authority for workers' compensation claims will be in alignment with the Title V Administrative code and provide greater alignment and efficiency for claims program administration.

All claims in excess of \$150,000 will be presented to the Board for approval or settlement.

Staff recommends repealing Resolution 02-06-0158 and adopting the attached Resolution establishing monetary limits for workers' compensation claims settlement authority limit of \$150,000 and equal to the settlement authority granted within SacRT Title V Administrative Ordinance.

RESOLUTION NO. 2022-04-038

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

April 11, 2022

**REPEAL RESOLUTION 02-06-0158 AND ADOPT WORKERS COMPENSATION CLAIM SETTLEMENT AUTHORITY**

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, Resolution No. 02-06-0158 is hereby repealed.

THAT, the General Manager or his/her designee is hereby authorized to approve the settlement of workers' compensation claims in an amount per claim not to exceed \$150,000. The foregoing monetary limit is in excess of any amount paid to a claimant under the workers' compensation law prior to the date of that claimant's settlement.

THAT, the Board hereby authorizes the General Manager, or his/her designee, the authority to negotiate a settlement amount that exceeds the General Manager settlement authority without requiring the Board's affirmative rejection of each offer to settle in excess of the General Manager settlement authority, subject to the Board's approval of the final settlement amount negotiated by the General Manager.

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STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: \_\_\_\_\_  
Tabetha Smith, Assistant Secretary