

RESOLUTION NO. 21-29,242

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ESTABLISHING LIMITS ON SETTLEMENT OF CLAIMS, POTENTIAL LITIGATION AND LITIGATION UNDER BURBANK MUNICIPAL CODE 2-1-901

THE COUNCIL OF THE CITY OF BURBANK FINDS:

1. Burbank Municipal Code (BMC) Section 2-1-901 grants the City Council the exclusive authority to evaluate, reject, allow and/or compromise all claims, potential litigation and/or litigation filed against the City, its officers, agents and employees.
2. BMC Section 2-1-901, however, delegates to the City Manager, City Attorney, and Management Services Director or their respective designees the authority to settle any claim or litigation against the City. This section was amended to allow City Council to establish limits for settlement by Resolution.
3. BMC Section 2-1-901 does not distinguish between General Liability and Workers Compensation claims. The number of Workers Compensation claims submitted to the City exceeds the number of General Liability claims, and it is often in the City's best interest to quickly settle Workers Compensation claims to limit open ended lifetime medical expenses. The City Council therefore wishes to distinguish between General Liability and Workers Compensation claims and delegate authority to the City Manager, City Attorney, and Management Services Director for different settlement amounts for General Liability and Workers Compensation.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. Pursuant to BMC Section 2-1-901 the City Manager, City Attorney, and Management Services Director and/or their respective designees are authorized to pay, settle or compromise any monetary claim, potential litigation or litigation against the City whenever such payment, settlement or compromise involves the payment of money in an amount not exceeding the following:
 - A. Workers Compensation: \$100,000. Statutorily mandated payments shall not be included in computing the amount to be paid as an authorized settlement under this Resolution when there is no reasonable legal basis to challenge the payment, and no other authorization shall be required to enter into settlements to the extent that they include such statutorily mandated payments. Statutorily mandated payments include any amounts required by law to be paid as:
 - i. Temporary Disability payments,

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Zizette Mullins, MMC, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by a vote of the Council of the City of Burbank at its regular meeting held on the 13th day of July, 2021, by the following vote:

AYES: Anthony, Schultz, Springer, Talamantes and Frutos.

NOES: None.

ABSENT: None.

 s/Zizette Mullins
Zizette Mullins, MMC, City Clerk