

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisor Kevin Jeffries

SUBMITTAL DATE:
September 18, 2014

SUBJECT: Financial Responsibility for Future Litigation and Claims Against County Agencies

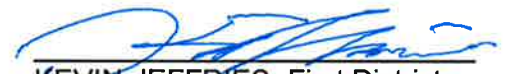
RECOMMENDED MOTION: That the Board of Supervisors:
Direct the Executive Office to study the issue of Financial Responsibility for Future Litigation and Claims Against County Agencies and report back to the BOS within 90 days the feasibility of the following policy.

BACKGROUND:

Summary

The County of Riverside has traditionally paid civil liability claims out of a special fund, into which county agencies make an annual contribution. While this system acts as a form of self-insurance, it also obscures the impact of these losses on the broader county budget, and occurs largely outside of the view of taxpayers, who have a legitimate interest in seeing a more specific accounting of county losses through settlements and judgments.

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KEVIN JEFFRIES, First District
Supervisor

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ n/a	\$ n/a	\$ n/a	\$ n/a	Consent ☐ Policy ☐
NET COUNTY COST	\$ n/a	\$ n/a	\$ n/a	\$ n/a	

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Prev. Agn. Ref.:

District:

Agenda Number:

3-2

Departmental Concurrence

☐ A-30
☐ Positions Added
☐ 4/5 Vote
☐ Change Order

Background Summary (continued):

If passed, this proposal would direct the Executive Office to study this issue and report back to the BOS within 90 days the feasibility of the following policy:

1. On those occasions when the Board of Supervisors or Executive Office agrees to settle or otherwise is required to pay compensation, awards or damages as a result of litigation and/or claims against the county from an employee or injured citizen or immediate family, the funding source for such compensation shall initially be appropriated from the current adopted budget of the department responsible for the direct oversight, management, or supervision of the program and/or involved employee(s) related to the underlying cause of litigation or claim(s).
2. Provide for circumstances whereby the Executive Office or the Board of Supervisors may determine that the settlement funding need not be appropriated from the related department as the actions or inactions of the county were within the normal routine course of duty or services, and not a result of faulty policies, training, or management.
3. A department may further seek to have the diverted settlement or judgment funds restored to their budget by submitting a request and justification to the Board of Supervisors to be discussed at a regular Board Meeting.

Impact on Citizens and Businesses

Will increase transparency for citizens and businesses interested in a more detailed accounting of settlements and judgments against specific county agencies.