

SECTION 8. RESOURCE MANAGEMENT DEPARTMENT**8.5 RISK MANAGEMENT EXECUTIVE SETTLEMENT AUTHORITY**

A. PURPOSE. To provide for effective and expeditious settlement of certain claims against Seminole County and certain claims made by Seminole County in compliance with the requirements of Florida Statutes and the Seminole County Code.

B. ORGANIZATIONS AFFECTED. All Seminole County Departments, Divisions, Boards, Commissions, the Seminole County Risk Management Executive Committee, etc.

C. RISK MANAGEMENT EXECUTIVE COMMITTEE. There is hereby established the Risk Management Executive Committee. The Committee shall review and make recommendations to the Board of County Commissioners on such issues that may from time to time be presented to them in the areas of insurance and claims management.

(1) The Risk Management Executive Committee shall be composed of the five voting members: three (3) County Commissioners appointed by the Chairman of the Board of County Commissioners, the County Manager and the Deputy County Manager. The Resource Management Department Director or designee shall serve as the non-voting chair of the committee.

(2) In addition, the Risk Management Executive Committee shall also have, as ex officio non-voting members, the County Attorney, the Risk Manager and the Resource Management Department Director or designee.

D. PROCEDURES.

(1) Negotiations. Subject to the settlement procedures set forth in subsections (2), (3), and (4) below:

(a) The Resource Management Department Director or his/her designee is authorized to negotiate proposed settlements of claims against Seminole County and claims made by Seminole County up to TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per claimant, per occurrence.

(b) The County Manager or his/her designee is authorized to negotiate proposed settlements of claims against Seminole County and claims made by Seminole County.

(2) Settlement Authority for Third Party Claims:

(a) The Resource Management Department Director or designee may delegate settlement authorization to the County's Third Party Administrator for pre-litigation claims up to and including FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) per claimant, per occurrence when the County does not dispute liability.

(b) The Resource Management Department Director or designee is authorized to settle claims up to and including TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per claimant, per occurrence.



(c) The County Manager is authorized to settle claims requiring the expenditure of up to and including FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per claimant, per occurrence. The County Manager may also settle any claim that is recommended by the excess carrier if the funds to pay any amount that exceeds the authorization set forth herein are provided by the excess carrier or others.

(d) The Risk Management Executive Committee may recommend settlement of claims greater than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per occurrence to the Board of County Commissioners. The Board of County Commissioners reserves the authority to settle claims requiring the expenditure of more than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per claimant, per occurrence.

(3) Settlement Authority for County Claims:

(a) The Resource Management Department Director or designee is authorized to settle claims when the estimated loss does not exceed the recovery by more than TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00).

(b) The County Manager is authorized to settle claims when the estimated loss does not exceed the recovery by more than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00).

(c) The Risk Management Executive Committee is authorized to recommend settlement to the Board of County Commissioners of Seminole County of claims when the estimated loss exceeds the recovery by more than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00).

(4) Settlement of Other Claims. Authority to settle claims, lawsuits, or other proceedings not addressed in subsection (2) or (3) above when the County is a party is reserved by the Board of County Commissioners.

(5) Excluded Payments. Payments from the County's Self-Insured Fund for non-settlement related expenses are not subject to these settlement procedures, these include, but are not limited to, lawfully mandated payments, court ordered payments, and payments necessary to investigate, prosecute, and defend claims.

E. AUTHORITY. Approved by the BCC on June 10, 2003
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012