

# **Cotati City Council**

## **Agenda Staff Report**

**Item type:** PUBLIC HEARINGS (ACTION)  
**To:** City Council  
**Subject:** Introduction of an Ordinance Updating City's Claim Management Process  
**Date:** September 12, 2017  
**Written by:** Damien O'Bid, City Manager

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### **Recommendation**

It is recommended that the City Council of the City of Cotati introduce an ordinance updating the process for managing claims against the City.

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### **Background**

The City originally adopted an ordinance regarding claims against the City shortly after incorporation in 1963, which was codified as Chapter 3.28 of the Cotati Municipal Code. This chapter was subsequently updated in 1993, 2002, and again in 2011.

### **Analysis/Discussion**

During recent discussions with representatives with the Redwood Empire Municipal Insurance Fund (REMIF), it was requested that all member cities review their municipal code to ensure consistency in claim management procedures.

The proposed ordinance replaces Chapter 3.28 in its entirety with a more detailed version that includes delegation of authority to the City Manager or his designee to review and reject any and all claims for legal insufficiency. The City Manager or designee would also be authorized to allow, compromise, extend, or settle claims in an amount up to and including \$25,000, which is consistent with the City Managers contract authority. Larger claims would be referred to the City Council.

### **Financial Considerations**

The proposed changes to the Municipal Code only update the claims management procedures and do not have a direct financial impact.

### **Environmental Issues**

This action is exempt from review under the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines section 15378.