

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

234



FROM: Human Resources Department

SUBMITTAL DATE:
March 13, 2012

SUBJECT: Delegation of Settlement Authority for Settlement Conferences Conducted by the Court of Appeal.

RECOMMENDED MOTION: That the Board of Supervisors adopts Resolution No. 2012- 65 delegating settlement authority to the Assistant County Executive Officer/Human Resources Director or their designee for settlement conferences conducted by the Court of Appeal subject only to final approval of the settlement by the Board of Supervisors.

BACKGROUND: In order to comply with the requirements for settlement conferences conducted by the Court of Appeal, the Board must designate a member of the Board of Supervisors or a high ranking executive who will have full settlement authority, subject only to final approval of the settlement by the Board of Supervisors. It is recommended that the Assistant County Executive Officer/Human Resources Director or their designee be delegated full settlement authority for settlement conferences conducted by the Court of Appeal subject only to final approval of the settlement by the Board of Supervisors.

FORM APPROVED COUNTY COUNSEL
 BY: PAMELA J. WALLS
 DATE: 3/13/12
 Departmental Concurrence

Barbara A. Olivier
 Asst. County Executive Officer/Human Resources Dir.

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
 Elizabeth J. Olson
 County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: March 27, 2012
 xc: HR

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.: | **District:** ALL | **Agenda Number:**

Dep't Recomm.:
 Per Exec. Ofc.:

REVISED
4/9/12

3.26

2
3 RESOLUTION NO. 2012- 65

4
5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
6 DELEGATING SETTLEMENT AUTHORITY TO THE ASSISTANT COUNTY EXECUTIVE
7 OFFICER/HUMAN RESOURCES DIRECTOR OR THEIR DESIGNEE FOR SETTLEMENT
8 CONFERENCES CONDUCTED BY THE COURT OF APPEAL, SUBJECT TO FINAL APPROVAL
9 BY THE BOARD OF SUPERVISORS

10
11 WHEREAS, the Court of Appeal sets settlement conferences in some appeals and issues a
12 standard order for public entities that provides "all board members must personally attend" unless there is
13 an authorization by the governing board granting to a governing board member or a high ranking
14 executive full settlement authority, subject only to final approval by the governing body.

15 WHEREAS, to avoid a possible Brown Act violation and to comply with settlement conference
16 requirements of the Court of Appeal, delegation of settlement authority to the Assistant County Executive
17 Officer/Human Resources Director or their designee is warranted, subject only to final approval of the
18 settlement by the Board of Supervisors.

19 NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of
20 Riverside, assembled in regular session on March 27, 2012, that the Assistant County Executive
21 Officer/Human Resources Director or their designee is provided full settlement authority for settlement
22 conferences conducted by the Court of Appeal subject only to final approval of the settlement by the
23 Board of Supervisors.

ROLL CALL:

24 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
25 Nays: None
26 Absent: None

27 FORM BY: PAMELA J. WELLS COUNSEL 3/13/12
DATE

The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.
KECIA HARPER-IHEM Clerk of said Board
By _____ Deputy

28
REVISED
4/9/12