

THIS PRINT COVERS CALENDAR ITEM NO. : 10.3

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Office of the SFMTA Board of Directors

BRIEF DESCRIPTION:

Authorizing the Chief of the Bureau of Claims Investigation and Administration of the City Attorney's Office to settle unlitigated claims against the SFMTA for an amount not to exceed \$25,000.

SUMMARY:

- In order to streamline government and improve efficiency of claims resolution, Director Reiskin recommends full delegation of authority to settle unlitigated claims of less than \$25,000 to the City Attorney's Chief of the Bureau of Claims.
- The Director of Transportation will continue to receive confidential monthly reports on all settlements under the delegated authority.
- Currently the SFMTA Board of Directors approves all litigated settlements and unlitigated settlements over \$25,000.

ENCLOSURES:

1. SFMTAB Resolution

APPROVALS:

DATE

DIRECTOR _____ 4/22/12

SECRETARY _____ 4/22/12

ASSIGNED SFMTAB CALENDAR DATE: May 1, 2012

PAGE 2.

PAGE 2.

PURPOSE

Authorizing the Chief of the Bureau of Claims Investigation and Administration of the City Attorney's Office to settle unlitigated claims against the SFMTA for an amount not to exceed \$25,000.

GOAL

Goal 4: Financial capacity – to ensure financial stability and effective resource utilization.

DESCRIPTION

In November, 2009 the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors adopted Resolution No. 09-191, which authorized the Chief of the Bureau of Claims Investigation and Administration of the City Attorney's Office to settle unlitigated claims not to exceed \$25,000 with the approval of the Director of Transportation.

In order to streamline government and improve efficiency of claims resolution, Director Reiskin recommends full delegation authority to settle unlitigated claims of less than \$25,000 to the City Attorney's Chief of the Bureau of Claims.

The Director of Transportation will continue to receive confidential monthly reports on all settlements under the delegated authority.

Currently the SFMTA Board of Directors approves all litigated settlements and unlitigated settlements over \$25,000.

ALTERNATIVES CONSIDERED

The SFMTA Board could continue to require the Director of Transportation to approve the settlement of unlitigated claims in amounts between \$5000 and \$25,000.

FUNDING IMPACT

There is no fiscal impact to this action

OTHER APPROVALS RECEIVED OR STILL REQUIRED

None.

The City Attorney has reviewed this report.

PAGE 3.

RECOMMENDATION

Authorize the Chief of the Bureau of Claims Investigation and Administration of the City Attorney's Office to settle unlitigated claims against the SFMTA for an amount not to exceed \$25,000.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, On November 3, 2009, the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors adopted Resolution No. 09-191, which authorized the Chief of the Bureau of Claims Investigation and Administration of the City Attorney's Office ("Claims Chief") to settle unlitigated claims not to exceed \$25,000 with the approval of the Director of Transportation; and

WHEREAS, After approving such unlitigated claims for over six months, the Director of Transportation recommends full delegation of such claims to the Claims Chief; and

WHEREAS, Full delegation of such approval is authorized by law; and

WHEREAS, The SFMTA Board of Directors has determined that it is sufficient for the Claims Chief to settle unlitigated claims against the SFMTA in amounts not to exceed \$25,000 without concurrence of the Director of Transportation; and

WHEREAS, The City Attorney provides the Director of Transportation with confidential monthly reports on all settlements under delegated authority and will continue to do so; and

WHEREAS, This resolution will supersede the conflicting language of Resolution No. 09-191; now, therefore, be it

RESOLVED, That pursuant to Charter Section 6.102 and Article II of Chapter 10 of the San Francisco Administrative Code, the SFMTA Board of Directors authorizes the Chief of the Bureau of Claims Investigation and Administration of the City Attorney's Office to settle unlitigated claims against the SFMTA for an amount not to exceed \$25,000.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 1, 2012.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency