

**PROPOSED**

ORDINANCE NO. 2019-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO CLAIMS AGAINST OR ON BEHALF OF BROWARD COUNTY; AMENDING SECTION 1-51.3 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO AUTHORIZE THE COUNTY ADMINISTRATOR TO REJECT CERTAIN SETTLEMENT PROPOSALS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Section 1-51.3 of the Broward County Code of Ordinances ("Code") provides certain authority to the County Administrator and County Attorney to settle claims; and

WHEREAS, the Board finds that the Code should also include authority to the County Administrator, after consultation with the County Attorney, to reject certain settlement proposals when the County Administrator determines they would not serve the County's best interests,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 1-51.3 of the Broward County Code of Ordinances is hereby amended to read as follows:

**Sec. 1-51.3 Claims Against or on Behalf of the County; Authority of the County Administrator and the County Attorney.**

(a) *Definitions*

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

1 ...

2 (4) The County Administrator, after consultation with the County Attorney and  
3 upon determining that acceptance of a settlement proposal would not serve  
4 the County's best interests, (i) is authorized to reject the settlement proposal  
5 if it is for Two Hundred Thousand Dollars (\$200,000) or less; and (ii) is  
6 authorized to reject the settlement proposal in excess of Two Hundred  
7 Thousand Dollars (\$200,000) where the terms of the settlement proposal  
8 would preclude timely consideration by the Board.

9 ~~(4)~~ (5) The County Administrator is authorized to execute on behalf of the County  
10 all necessary and pertinent documents and pay vouchers for all settlements  
11 authorized under this Section 1-51.3.

12 ~~(5)~~ (6) The Risk Management Director may exercise the authorities granted to the  
13 County Administrator under this section for Liability Claims for which the  
14 Claim Amount does not exceed Ten Thousand Dollars (\$10,000), for County  
15 Claims in any amount.

16 ...

17 Section 2. Severability.

18 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
19 portion will be stricken, and such striking will not affect the validity of the remainder of this  
20 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
21 legally applied to any individual, group, entity, property, or circumstance, such  
22 determination will not affect the applicability of this Ordinance to any other individual,  
23 group, entity, property, or circumstance.

24

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1 Section 3. Inclusion in the Broward County Code of Ordinances.

2 It is the intention of the Board of County Commissioners that the provisions of this  
3 Ordinance become part of the Broward County Code of Ordinances as of the effective  
4 date. The sections of this Ordinance may be renumbered or relettered and the word  
5 "ordinance" may be changed to "section," "article," or such other appropriate word or  
6 phrase to the extent necessary in order to accomplish such intention.

7 Section 4. Effective Date.

8 This Ordinance is effective as of the date provided by law.

9  
10 ENACTED

11 FILED WITH THE DEPARTMENT OF STATE

**PROPOSED**

12 EFFECTIVE

13  
14 Approved as to form and legal sufficiency:  
15 Andrew J. Meyers, County Attorney

16 By /s/ Danielle W. French 03/14/19  
17 Danielle W. French (date)  
18 Deputy County Attorney

19  
20  
21  
22  
23 DWF/dmv  
03/14/19  
24 Settlement Authority Ordinance  
#421022

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.