

**RESOLUTION NO. 2022-072**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
REPEALING RESOLUTION NO. 2009-129 AND ADOPTING A NEW RESOLUTION  
AUTHORIZING THE CITY MANAGER TO ACCEPT, ALLOW, DEFEND,  
COMPROMISE, SETTLE, DENY, AND/OR REJECT SPECIFIED CLAIMS AND  
CLAIMS RELATED APPLICATIONS AGAINST THE CITY**

**WHEREAS**, pursuant to Government Code section 935.4 and the City's constitutional police powers under California Constitution article XI, section 7, the City Council is authorized to adopt a resolution providing authority to City staff in allowing, compromising, or settling claims against the City and City employees; and

**WHEREAS**, the City Council of the City of Elk Grove has previously adopted Resolution No. 2009-129 regarding the resolution of claims, and desires to further clarify and define the authority of City staff in responding to claims against the City and City employees; and

**WHEREAS**, providing specified defense and resolution authority to City staff provides for the efficient handling of certain claims and lawsuits, and it affords a more effective and economical resolution of those claims and lawsuits.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby:

- 1) Repeals Resolution No. 2009-129 and replaces Resolution No. 2009-129 with this Resolution, provided, however, that any action taken pursuant to Resolution No. 2009-129 prior to the effectiveness of this Resolution remains valid and is hereby ratified;
- 2) Authorizes the City Manager, or their designee, with the advice and consent of the City Attorney, or their designee, to defend, deny, or reject any and all claims and claims related applications made against the City or City employee(s) including, without limitation, any application for leave to present a late claim;
- 3) Authorizes the City Manager, or their designee, with the advice and consent of the City Attorney, or their designee, to accept, allow, compromise, or settle any claim and/or lawsuit against the City or City employee(s) in an amount up to and including \$50,000; and
- 4) Reserves to itself the power and authority to resolve any and all claims and/or lawsuits where such resolution is in excess of \$50,000 and to resolve any and all claims and/or lawsuits brought in the name of the City, regardless of the amount of money in controversy.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 13<sup>th</sup> day of April 2022

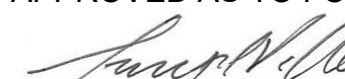


BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2022-072**

STATE OF CALIFORNIA            )  
COUNTY OF SACRAMENTO    )        ss  
CITY OF ELK GROVE            )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 13, 2022 by the following vote:*

**AYES:**            **COUNCILMEMBERS:** *Singh-Allen, Suen, Hume, Spease, Nguyen*

**NOES:**           **COUNCILMEMBERS:** *None*

**ABSTAIN:**       **COUNCILMEMBERS:** *None*

**ABSENT:**       **COUNCILMEMBERS:** *None*

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**