

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2024-015

Delegation of Authority to Make Expenditures from the Risk Management Fund, Resolve Claims Against the County, and Settle and Initiate County Litigation and Repealing Resolution 07-037.

The Multnomah County Board of Commissioners Finds:

- A. The County maintains a Risk Management Fund to account for expenditures and reserves for the protection of County assets, employees, programs and operations. See *generally* MCC Chapter 7.101, et seq.
- B. Disbursements from the Risk Management Fund are permitted for, among other things, litigation and workers compensation costs when authorized by the Board or delegated by Board Resolution. MCC 7.101(B)(11).
- C. Authority for settlement of general liability claims and litigation against the county or its employees shall rest with the Board and may be delegated by Board resolution, except that the Sheriff shall retain all settlement authority regarding non monetary operations issues in the Sheriff's Office. MCC 7.104.
- D. The County Attorney provides legal services for the County, represents its officials and employees, and controls and supervises all civil actions and legal proceedings in which the County is a party or has a legal interest. MCC 25.310.
- E. Risk management administers claims arising from county operations including, but not limited to, workers' compensation. MCC 7.102(B)(3).
- F. On February 22, 2007, by Resolution 07-037, the Board delegated certain authority with respect to risk management fund expenditures and settlement. The Board wishes to expand the authority delegated to the County Attorney and Risk Management Office with respect to settlement authority.
- G. Adjustments to the settlement thresholds in this resolution will require adjustment over time to reflect inflation or other factors.

The Multnomah County Board of Commissioners Resolves:

- 1. The County Attorney is delegated authority to initiate, defend, appear or appeal any legal action, matter or proceeding in any court or tribunal in which the county is a party or has a legal interest. The County Attorney's delegated authority extends to any counterclaim, cross-claim, third-party claim, and any action initiated out of a duty to defend and indemnify the County, except that Board approval is required to initiate any claim for damages unrelated to pending litigation as a plaintiff.
- 2. The County Attorney is delegated authority to approve settlement of claims and litigation against the county or its employees up to \$100,000 per case. The County Attorney will confer with the Board on settlement amounts between \$100,000 and \$250,000. Any settlement amount over \$250,000 will require Board approval.

3. The Risk Management Office is delegated authority to defend or appeal any workers' compensation action brought against the county.
4. The Risk Management Office is delegated authority to approve settlement of workers' compensation claims against the county up to \$100,000 per case. Any settlement amount over \$100,000 will require Board approval.
5. The settlement thresholds listed in this resolution may be adjusted annually by the Chief Financial Officer to reflect inflation or other factors.
6. Resolution 07-037 is repealed.

ADOPTED this 7th day of March, 2024.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Jessica Vega Pederson, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jenny M. Madkour, County Attorney

SUBMITTED BY: Jenny M. Madkour, County Attorney