



## SECTION 8. RESOURCE MANAGEMENT DEPARTMENT

### 8.5 RISK MANAGEMENT ~~EXECUTIVE SETTLEMENT~~ AUTHORITY

**A. PURPOSE.** To provide for effective and expeditious settlement of certain claims against Seminole County and certain claims made by Seminole County in compliance with the requirements of Florida Statutes and the Seminole County Code.

**B. ORGANIZATIONS AFFECTED.** All Seminole County Departments, Divisions, Boards, Commissions, ~~the Seminole County Risk Management Executive Committee, etc and Covered Entities.~~

**C. ~~RISK MANAGEMENT EXECUTIVE COMMITTEE.~~** ~~There is hereby established the Risk Management Executive Committee. The Committee shall review and make recommendations to the Board of County Commissioners on such issues that may from time to time be presented to them in the areas of insurance and claims management.~~

(1) ~~The Risk Management Executive Committee shall be composed of the five voting members: three (3) County Commissioners appointed by the Chairman of the Board of County Commissioners, the County Manager and the Deputy County Manager. The Resource Management Department Director or designee shall serve as the non-voting chair of the committee.~~

(2) ~~In addition, the Risk Management Executive Committee shall also have, as ex officio non-voting members, the County Attorney, the Risk Manager and the Resource Management Department Director or designee.~~

### **D. NEGOTIATION AND SETTLEMENT PROCEDURES.**

(1) ~~Negotiations. Subject to the settlement procedures set forth in subsections (2), (3), and (4) below:~~

(a) ~~The Resource Management Department Director or his/her designee is authorized to negotiate proposed settlements of claims against Seminole County and claims made by Seminole County up to TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per claimant, per occurrence.~~

(b) ~~The County Manager or his/her designee is authorized to negotiate proposed settlements of claims against Seminole County and claims made by Seminole County.~~

(2) ~~Settlement Authority for Third Party Claims:~~

(a) ~~The Resource Management Department Director or designee may delegate settlement authorization to the County's Third Party Administrator for pre-litigation claims up to and including FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) per claimant, per occurrence when the County does not dispute liability.~~

(b) ~~The Resource Management Department Director or designee is authorized to settle claims up to and including TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per claimant, per occurrence.~~



~~(c) The County Manager is authorized to settle claims requiring the expenditure of up to and including FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per claimant, per occurrence. The County Manager may also settle any claim that is recommended by the excess carrier if the funds to pay any amount that exceeds the authorization set forth herein are provided by the excess carrier or others.~~

~~(d) The Risk Management Executive Committee may recommend settlement of claims greater than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per occurrence to the Board of County Commissioners. The Board of County Commissioners reserves the authority to settle claims requiring the expenditure of more than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per claimant, per occurrence.~~

~~(3) Settlement Authority for County Claims:~~

~~(a) The Resource Management Department Director or designee is authorized to settle claims when the estimated loss does not exceed the recovery by more than TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00).~~

~~(b) The County Manager is authorized to settle claims when the estimated loss does not exceed the recovery by more than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00).~~

~~(c) The Risk Management Executive Committee is authorized to recommend settlement to the Board of County Commissioners of Seminole County of claims when the estimated loss exceeds the recovery by more than FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00).~~

~~(4) Settlement of Other Claims. Authority to settle claims, lawsuits, or other proceedings not addressed in subsection (2) or (3) above when the County is a party is reserved by the Board of County Commissioners.~~

~~(5) Excluded Payments. Payments from the County's Self-Insured Fund for non-settlement related expenses are not subject to these settlement procedures, these include, but are not limited to, lawfully mandated payments, court ordered payments, and payments necessary to investigate, prosecute, and defend claims.~~

(1) Negotiation and Settlement Authority for Claims Assigned to Risk Management.

(a) The Risk Manager may negotiate settlement of non-litigated claims assigned to Risk Management, with settlement contingent on the settlement authority contained herein. Negotiation and mediation of litigated claims shall be in conjunction with assigned legal counsel.

(b) The Risk Manager may delegate negotiation authority to the County's Third-Party Administrator for non-litigated claims up to and including TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per claimant, per occurrence, when the County accepts liability, or when settlement is in the best interest of the County.



(c) The Risk Manager may delegate negotiation authority to the County's Third-Party Administrator for automobile property damage claims up to and including FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per claimant, per occurrence, when the County accepts liability based on the County's investigation process.

(d) The Risk Manager may authorize settlement of claims up to and including TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) per claimant, per occurrence.

(e) The Risk Manager may authorize settlement of automobile property damage claims up to and including TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) per claimant, per occurrence, when the County accepts liability based on the County's investigation process.

(f) The Resource Management Department Director may authorize settlement of claims up to and including TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) per claimant, per occurrence.

(g) The Resource Management Department Director may authorize settlement of automobile property damage claims up to and including FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) per claimant, per occurrence, when the County accepts liability based on the County's investigation process.

(h) The County Manager may authorize settlement of claims up to and including ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00).

(i) The County Manager may authorize settlement of any claim for which settlement is recommended by the excess carrier if the funds to pay any amount that exceeds ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) are to be reimbursed by the excess carrier or others.

(j) The County Manager may recommend settlement of claims greater than ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) per claimant or per occurrence to the Board of County Commissioners. The Board of County Commissioners reserves the authority to settle claims requiring the expenditure of more than ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) per claimant or per occurrence except as otherwise authorized above.

(k) Claim files shall document settlement authority approval.

(2) Negotiation and Settlement Authority for Claims Made by Seminole County.

(a) The Risk Manager may negotiate settlement of claims made by Seminole County that are assigned to Risk Management, with settlement contingent on the settlement authority contained herein. Negotiation and mediation of litigated claims shall be in conjunction with assigned legal counsel.



(b) The Risk Manager may authorize settlement of such claims when the estimated loss does not exceed the recovery by more than TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00).

(c) The Resource Management Department Director may authorize settlement of such claims when the estimated loss does not exceed the recovery by more than TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00).

(d) The County Manager may authorize settlement of such claims when the estimated loss does not exceed the recovery by more than ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00).

(e) The County Manager may recommend settlement of such claims to the Board of County Commissioners when the estimated loss exceeds the recovery by more than ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00).

(f) Claim files shall document settlement authority approval.

(3) Reporting of Claims to Risk Management.

(a) Claims requiring reporting to insurance carriers shall be reported by the Seminole County Department, Division, Board, Commission, or Covered Entity to Risk Management promptly. Negotiation for settlement shall not occur prior to carrier notification and approval if the settlement would cause the claim to exceed the County's self-insured retention.

(4) Settlement of Other Claims.

(a) Authority to settle other claims, lawsuits, or other proceedings not addressed above when the County is a party is reserved by the Board of County Commissioners.

(5) Excluded Payments

(a) Payments from the County's Self-Insured Fund for judgments or non-settlement related expenses are not subject to these settlement procedures. These include, but are not limited to, lawfully mandated payments, court ordered payments, and payments necessary to investigate, prosecute, and defend claims.

**E.-D. AUTHORITY.**

Approved by the BCC on June 10, 2003  
Resolution 2007-R-42 adopted March 13, 2007  
Resolution 2010-R-26 adopted January 26, 2010  
Resolution 2012-R-107 adopted June 12, 2012  
Resolution 2025-R-\_\_\_\_\_ adopted