



Agenda Report

February 7, 2022

TO: Honorable Mayor and City Council
FROM: City Attorney/City Prosecutor's Department
SUBJECT: ADOPTION OF A RESOLUTION ALLOWING FOR ELECTRONIC SERVICE OF GOVERNMENT TORT CLAIMS AND NOTICES

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065, and State CEQA Guidelines Section 15378(b)(2) and (5) and, as such, is not subject to environmental review; and
2. Adopt a resolution allowing for electronic service of government tort claims and notices.

BACKGROUND:

Government tort claims against public entities must be presented in accordance with specific procedures set forth in the Government Code. Effective January 1, 2021, SB 1473 amended California's Government Code Section 915(a) to allow public agencies to accept electronic service of government claims and to send electronic notices in response to those claims to the claimant, if the public entity expressly authorizes such service by resolution or ordinance.

In an effort to assist the public in conducting their business with the City and to increase internal efficiencies, staff recommends allowing for the electronic submission of claims and sending notices to claimants electronically. If the Council adopts the proposed resolution, staff intends to begin accepting electronic service of government claims when the Origami Risk Management Information System (RMIS) is fully implemented and goes live on the City's website. It is anticipated that the RMIS will go live during the first quarter of 2022.

ENVIRONMENTAL IMPACT:

The action proposed herein is an administrative activity that does not have the potential for any physical change in the environment. It is therefore exempt from the definition of "project" pursuant to CEQA.

FISCAL IMPACT:

This action and automation will result in notable internal efficiencies in the City Clerk's Office and the Liability Claims & Insurance Division of the City Attorney's Office. Transitioning from a manual, hard copy claim submission process to an electronic process will result in the following, but not limited to: immediate notifications to staff of a new claim, expedited claim investigations, expedited notices to claimants, centralized audit trails, significantly reduced staff time spent on claim set up, and little to no physical storage space needed for hard copy claim files. While this streamlining will be considerably beneficial to both staff and the community, there will be no direct adverse fiscal impact as a result of this action.

Respectfully submitted,


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City Attorney/City Prosecutor

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Concurrence:


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Attachment 1: Resolution Allowing for Electronic Service
of Claims for Damages and Notices