

## **MARANA ORDINANCE NO. 2014.022**

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RELATING TO ADMINISTRATION; AMENDING MARANA TOWN CODE TITLE 3 (ADMINISTRATION); ADDING NEW CHAPTER 3-5 ENTITLED "CLAIMS AND SETTLEMENT"; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Town Manager is authorized by Marana Town Code Section 3-2-1(G)(1) to execute, on behalf of the Town Council, general administrative supervision and control of the affairs of the town; and

WHEREAS the Town Council is authorized by A.R.S. § 9-240 to control the finances of the town; and

WHEREAS the Town Council finds that the revisions to the Marana Town Code set forth in this ordinance are in the best interests of the Town of Marana.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Title 3 of the Marana Town Code is hereby revised by adding Chapter 3-5 as follows:

### **CHAPTER 3-5. CLAIMS AND SETTLEMENT**

#### **3-5-1 Claims administration**

- A. The town attorney shall establish procedures to process, evaluate, investigate and report claims filed against the town.
- B. The town attorney is authorized to file such claims, counter-claims, or third party claims, and to take such other legal action, as may be necessary to seek subrogation and reimbursement or to collect for damages sustained by the town.

#### **3-5-2 Settlement authority**

- A. Whenever any contemplated settlement of a claim by or against the town is for the sum of not more than \$15,000, after due consideration and in the best interest of the residents of the town, the town manager, in consultation with the town attorney, is authorized to settle the claim.
- B. No settlement of more than \$15,000 shall be entered into except with the approval of the council or in accordance with the provisions of the town's coverage agreement with its insurance provider.

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

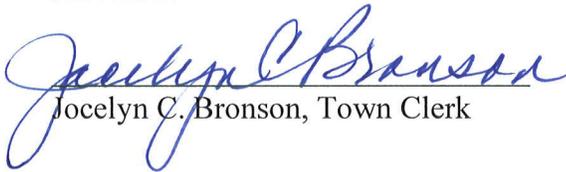
SECTION 5. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 2<sup>nd</sup> day of September, 2014.



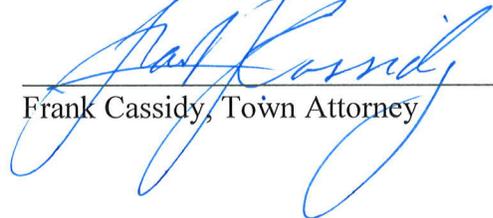
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Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



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Frank Cassidy, Town Attorney