

Staff Report

for the Board of Directors Meeting of October 12, 2016

TO: Board of Directors

FROM: Tim Crough, Assistant General Manager
Lisa Francis Tassone, Board Secretary

DATE: October 5, 2016

SUBJECT: Policy – Claims Against the District

ADMINISTRATION

RECOMMENDATION:

Adopt Resolution No. 2016-34 (Establishing Administrative Policy – Claims Against the District), as recommended by the Administrative Practices Committee.

BACKGROUND:

Staff has been working on converting existing policies and establishing new policies in the California Special District's Association (CSDA) format. The proposed policy would increase the General Manager's and the Assistant General Manager's authority limit from \$3,000 to \$10,000. Additionally, the Administrative Practices Committee and the Maintenance and Resource Management Committee's authority level to settle claims would be \$25,000. Claims above \$25,000 would be presented to the Board for consideration.

BUDGETARY IMPACT:

None.

/LFT

Attachment: Resolution No. 2016-34 w/ Policy

**ESTABLISHING POLICY FOR ADMINISTRATION –
CLAIMS AGAINST THE DISTRICT**

WHEREAS, the Nevada Irrigation District (the “District”) intends to establish, and revise from time to time, administrative policies to guide the operations and management of the District; and

WHEREAS, the District’s insurance carrier provided sample guidelines for personnel and administrative policies for consideration by the District; and

WHEREAS, over the past few years, the District has adopted several administrative policies using the sample guidelines, in an effort to assemble a comprehensive policy manual; and

WHEREAS, certain District policies are outdated, and should be revised and formatted in the same manner as the sample guidelines; and

WHEREAS, such draft policy has been reviewed by the District’s Legal Counsel and found to be in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policy as attached, and such policy shall replace and supersede Board and Management Policy No. 3-15 and 3-42 of the Policy Manual, and Resolution No. 2003-52 shall be rescinded. The new policy shall be incorporated herein:

#3200 Claims Against the District

BE IT FURTHER RESOLVED, that the attached policy shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers, and format and reformat the attached, as needed for an organized, comprehensive policy manual.

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PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 12th day of October, 2016, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Claims Against the District
POLICY NUMBER: 3200

The purpose of this policy is to provide guidance for processing property damage and personal injury claims against the District, and to authorize settlement of claims.

3200.1 Process.

The Assistant General Manager shall receive and investigate all claims against the District. Claims in excess of the District insurance deductible shall be forwarded to the insurance company, as soon as practical. The District staff will not consider a claim of an amount in excess of the insurance deductible, including the cost of investigation, without prior written approval of the District's insurance company. Claims for personal injury/wrongful death shall not be investigated by the District staff but shall be immediately forwarded to the District's insurance company.

3200.2 The General Manager and the Assistant General Manager shall have the authority to settle damage claims up to \$10,000.

3200.3 The Administrative Practices Committee or the Maintenance and Resource Management Committee shall have the authority to settle damage claims up to \$25,000.

3200.4 Claims in the amount of more than \$25,000 shall be submitted to the Board of Directors for its consideration during a closed session of a regular or special meeting.

3200.5 Rejection of Claims.

Claims that are not deemed appropriate for settlement shall be rejected. Claims shall be rejected by the Board of Directors during a regular or special meeting.

Adopted: (Date) via Resolution No. 2016-__
Revised: