

Staff Report



TO: Board of Directors
FROM: Greg Jones, Assistant General Manager
DATE: July 27, 2022
SUBJECT: Board Policy 3200 – Claims Against the District

ADMINISTRATION

RECOMMENDATION:

Adopt Resolution No. 2022-45 (Authorizing Updates to Board Policy 3200 – Claims Against the District).

BACKGROUND:

On July 13, 2022, the Board reviewed and discussed updates to Policy 3200 authorizing the General Manager and/or the Assistant General Manager the authority to reject claims not deemed appropriate for settlement, up to a \$10,000 limit.

On March 23, 2022, NID Resolution No. 16 authorized the removal of reference to standing committees. The policy was updated and currently reflects the removal of the Administrative Practices and the Maintenance and Recreation Committees previously referenced therein.

NID receives on average approximately 35 claims in any given year, ranging in price from \$75 to in excess of \$25,000. All claims are assessed by the Assistant General Manager and/or passed to NID's insurance carrier as necessary for their review.

Authorizing the modification to this policy will help expedite the claims process.

BUDGETARY IMPACT:

There is no budgetary impact associated with this policy change.

GJ

Attachments (3)

- Resolution No. 2022-45
- BOD Policy 3200 - Clean
- BOD Policy 3200 – Red Line



RESOLUTION NO. 2022-45
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

Authorizing Update to Policy 3200 (Claims Against the District)

WHEREAS, the Nevada Irrigation District (NID) is authorized by California Government Code Division 3.6, Part 3 (Claims Against Public Entities) to consider all claims presented to the District by a claimant; and

WHEREAS, the Nevada Irrigation District receives on average 35 claims per year; and

WHEREAS, the Assistant General Manager is authorized receive and investigate all claims against the District; and,

WHEREAS, Claims in excess of the District insurance deductible shall be forwarded to the insurance company, as soon as practical; and

WHEREAS, 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; and

WHEREAS, 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; and

NOW, THEREFORE BE IT RESOLVED, the General Manager and the Assistant General Manager shall have the authority to settle damage claims which have been deemed appropriate for settlement up to \$10,000; and

BE IT FURTHER RESOLVED, claims which have been deemed appropriate for settlement in the amount of more than \$10,000 shall be submitted to the Board of Directors for its consideration during a closed session of a regular or special meeting; and

BE IT FURTHER RESOLVED, claims that are not deemed appropriate for settlement shall be rejected. Claims under \$10,000 may be rejected by the General Manager and/or the Assistant General Manager. Claims in excess of \$10,000 shall be reviewed, and if deemed not appropriate for settlement, may be rejected by the Board of Directors during a regular or special meeting

BE IT FURTHER RESOLVED, the above Recitals are true and correct and are incorporated as findings of the Board of Directors.

BE IT FURTHER RESOLVED, the General Manager is directed and authorized to take such further action as necessary and reasonable to implement the terms of this Resolution.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 27th day of July 2022, by the following vote:

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

Attest:

President of the Board of Directors

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 which have been deemed appropriate for settlement up to \$10,000.

3200.3 Claims which have been deemed appropriate for settlement in the amount of more than \$10,000 shall be submitted to the Board of Directors for its consideration during a closed session of a regular or special meeting.

3200.4 Rejection of Claims.

Claims that are not deemed appropriate for settlement shall be rejected. Claims up to \$10,000 may be rejected by the General Manager and/or the Assistant General Manager. Claims in excess of \$10,000 shall be reviewed, and if deemed not appropriate for settlement, may be rejected by the Board of Directors during a regular or special meeting.

Adopted: October 12, 2016 via Resolution No. 2016-34
Revised: March 23, 2022 via Resolution No. 2022-16
Revised: July 27, 2022 via Resolution No. 2022-45

3200-1

Nevada Irrigation District

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