



## **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.

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

<b>AYES:</b>	Directors:	Heck, Peters, Johansen, Hull, Bierwagen
<b>NOES:</b>	Directors:	None
<b>ABSENT:</b>	Directors:	None
<b>ABSTAINS:</b>	Directors:	None

**Attest:**

  
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Secretary to the Board of Directors

  
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President of the Board of Directors

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# 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