

CLARK COUNTY STAFF REPORT

DEPARTMENT: Board of County Councilors

DATE: July 21, 2015

REQUESTED ACTION:

Update CCC 2.95.060 to respond to change the recipient of tort claims from staff of the Board of County Councilors to General Services, Risk Management.

YES	NO	ACTION
X		County Manager review and approval
X		Referral to BOCC
	X	Hearing required
		Proposed hearing date if referred to BOCC

BACKGROUND

Periodically, county code should be updated to respond to changes in the external and internal environment. This staff report proposes changes to CCC 2.95, the Risk Management code. The county's interest in LEAN and process improvements revealed the current acceptance of tort claims by the Board Office creates waste because it results in duplicate recordkeeping and extra processing steps. The first step in reducing this waste is to re-designate the recipient of tort claims from Rebecca Tilton, Clerk of the Board to Mark Wilsdon, Risk Manager.

ADMINISTRATIVE POLICY IMPLICATIONS

The changes proposed in the county code are administrative. An administrative duty is shifted from the Board Office to the Risk Manager Office.

COUNCIL POLICY IMPLICATIONS

This staff report is submitted to council because it contains a code change requiring Board action, and a change in a resolution allocating administrative duties.

PREVIOUS REVIEWS AND ACTIONS

This proposal is the result of staff work to make internal processes more efficient.

COMMUNITY OUTREACH

None



BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

DISTRIBUTION OF BOARD STAFF REPORTS:

Distribution of staff reports is made via the Grid. <http://www.clark.wa.gov/thegrid/>
Copies are available by close of business on the Thursday after council deliberations.

DISTRIBUTION OF COUNTY MANAGER STAFF REPORTS:

Robert Stevens, General Services Director
Mark Wilsdon, Risk Manager
Tina Redline, BOCC Office Manager

SUBMITTED BY: Marlia Jenkins, Administrative Services Manager
DATE: June 25, 2015

ATTACHMENTS

Resolution re-designating receipt of tort claims from Rebecca Tilton, Clerk of the Board to Mark Wilsdon, Risk Manager.

Resolution approving changes to CCC 2.95.060

Code change to CCC 2.95.060

**APPROVAL
BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON**

Approved: 
Clark County Washington,
Board of County Councilors

DATE: July 21, 2015

SR# SR 145-15

COUNTY MANAGER ACTION\RECOMMENDATION

By: Mark McCauley
Date: June 25, 2015
SR Number:

REQUESTED ACTION:

Update CCC 2.95 change the recipient of tort claims from staff of the Board of County Councilors to the staff of General Services.

COUNTY MANAGER RECOMMENDATION:

Action	Conditions	Referral to council?
Approval	None	Yes

DISTRIBUTION

See list for county council. This staff report is forwarded to council for their action.

ORDINANCE No. 2015-07-05

An ORDINANCE RELATING TO THE FILING OF CLAIMS WITH CLARK COUNTY.

1 WHEREAS, Clark County is now partially self-insured, regarding it's liability coverage,
2 and needs updated claim settlement authorities to facilitate a faster process to better serve the
3 citizens; and

4 WHEREAS, this matter is being considered at a duly-advertised public meeting and the
5 Council finds and concludes that adoption of this ordinance will further the public welfare; now,
6 therefore,

7 BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COUNCILORS
8 IN AND FOR CLARK COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

9 **Section 1. Amendatory.** Section 4 of Ord. 1987-07-27 and codified as CCC 2.95.060 is
10 each amended to read:

11 **2.95.060 Claims handling procedures.**

12
13 (A) Service and Filing. In accordance with state law, claims ~~((shall))~~ must be filed
14 with the ~~((clerk of the board))~~ General Services Department utilizing the county supplied tort
15 claim form. ~~((and))~~ Service of any summons and complaint must be with ~~((served upon))~~
16 the county auditor.

17
18 (B) Transmittal. ~~((The clerk of the board shall))~~ General Services' staff will transmit
19 copies of the claim to the risk manager, prosecutor, and county manager within three (3) days of
20 receipt. The auditor shall immediately forward copies of all summons and complaints to the
21 prosecuting attorney's office, the risk management office and the clerk of the board.

22
23 (C) Service on Office or Employee. Any county official or employee other than the
24 auditor or deputy auditor who is served with a summons and/or complaint in a lawsuit against the
25 county or any officer or employee of the county acting in their official capacity shall
26 immediately deliver such process to the prosecuting attorney, who will transmit a copy to the risk
27 manager and county manager.

28

29 (D) Independent Adjuster. The risk manager may use the service of an independent
30 adjuster for the investigation and settlement of claims whenever it is deemed to be in the best
31 interest of the county to do so. The independent adjuster will be licensed in the state of
32 Washington, and will carry professional liability coverage in an amount set by the risk manager.
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34 Section 2. Effective Date. This ordinance shall be effective ten days following its adoption.

35 ADOPTED on this 21st day of ~~June~~ July, 2015.
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39 Attest:

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BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON

me
David Madore, Chair

Approved as to Form Only:
ANTHONY GOLIK
Prosecuting Attorney

Jeanne E. Stewart, Councilor

By: Christopher Horne
Christopher Horne, Chief Civil Deputy

Tom Mielke, Councilor

RESOLUTION NO. 2015-07-06

A resolution appointing an agent to receive claims for damages.

WHEREAS RCW 4.96.020 requires Clark County to appoint an agent to receive claims for damages; and

WHEREAS the identity of the agent and the address where the agent may be reached during normal business hours shall be on file and recorded with the County Auditor; and

WHEREAS pursuant to Clark County Code 2.96.060 the county's Risk Manager is the person designated to receive claims;

THEREFORE BE IT RESOLVED

Effective August 1, 2015, the appointed agent for receipt for claims for damages is the Clark County Risk Manager, currently Mark Wilsdon, located in the General Services Department, 1300 Franklin Street, 6th Floor, Room 664, Vancouver, Washington.

BOARD OF COUNTY COUNCILORS
FOR CLARK COUNTY, WASHINGTON



David Madore, Chair

ATTEST:

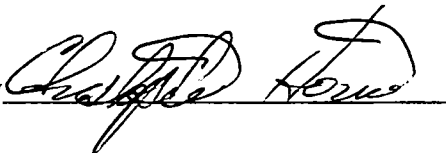


Clerk of the Board

Jeanne E. Stewart, Councilor

Approved as to Form Only
ANTHONY F. GOLIK
Prosecuting Attorney

Tom Mielke, Councilor

By  _____