



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: April 23, 2024

DATE: April 15, 2024

TO: Board of County Commissioners

FROM: Ben West, County Security Administrator
(775) 328-2018, bwest@washoecounty.gov

THROUGH: Eric Brown, Washoe County Manager

SUBJECT: Introduction and first reading of an ordinance amending Washoe County Code Chapter 65 (Safety and Disaster Services) by repealing the definition of “division”; by repealing sections related to the county risk manager and transferring the former risk manager’s duties to the risk management division of the comptroller department; by amending provisions to: expand the risk management division’s authority to settle claims related to damage and repair of county property (with no related third party claims) from \$1,000 to \$2,500; expand the risk management division’s authority to settle any claim or suit for damages from amounts less than \$10,000 to amounts up to \$25,000; expand the county manager’s authority to settle any claim or suit for damages from amounts between \$10,000 but less than \$25,000 to amounts greater than \$25,000 but no more than \$150,000; expand the board of county commissioner’s sole authority to settle any claim or suit for damages from \$25,000 or greater to \$150,000 or greater; and by revising provisions related to: the county’s safety program; the county safety officer; posting of safety notices; reporting requirements for occupationally related injury or illness; reporting requirements in the event of a fatality or catastrophic event; reporting requirements by officers, employees, volunteers and department heads following an accident, incident or injury; written documentation of accidents and incidents; investigation and evaluation of accidents and incidents involving county officers, employees or volunteers and the safety committee’s review of such investigations; and by amending provisions related to the safety committee’s powers and duties, membership, terms of office, and meeting schedule; and all matters necessarily connected therewith and pertaining thereto.

If supported, set the public hearing for second reading and possible adoption of the Ordinance for May 14, 2024. (All Commission Districts.)

SUMMARY

This is an introduction and first reading of an ordinance amending Washoe County Code (WCC) Chapter 65 (Safety and Disaster Services). This proposed ordinance is being requested by the County Security Administrator, as chair of the County Safety Committee, primarily to update Washoe County Code provisions related to safety, particularly the county's safety program, the safety committee, and reporting requirements and procedures in the event a county officer, employee or volunteer experiences a work-related injury or illness. The proposed ordinance also updates the settlement authority to resolve claims or suits for damages for the risk management division, county manager and board of county commissioners. Finally, WCC Chapter 65 requires revisions in order to reflect the county's current organizational structure and current management structure, i.e. the replacement of the former Risk Manager with the risk management division under the supervision of the comptroller department. With these updates, it is anticipated that future code changes will be less likely in the event of another structural re-organization of county offices and officials.

Washoe County Strategic Objective supported by this item: Innovative Services

PREVIOUS ACTION

April 16, 2024. The Board approved a request by the County Manager, through the Washoe County Clerk, and pursuant to WCC 2.030, to initiate amendments to WCC (Chapter 65- Safety and Disaster Services) and to direct the County Clerk to submit the request to the District Attorney's Office for preparation of the proposed ordinances in accordance with WCC 2.040.

October 9, 2018. The Board approved a request by the County Manager, through the Washoe County Clerk, and pursuant to WCC 2.030, to initiate amendments to WCC (Chapter 5- Administration and Personnel; Chapter 15- County Finances; Purchasing; and Chapter 65- Safety and Disaster Services) and to direct the County Clerk to submit the request to the District Attorney's Office for preparation of the proposed ordinances in accordance with WCC 2.040.

BACKGROUND

Under WCC 2.050, when the District Attorney has completed the proposed ordinance, the County Clerk will place the proposed ordinance on the agenda of a regularly scheduled meeting of the Board in accordance with the adoption procedures set out in NRS 244.100.

In this item, the County Security Administrator, as chair of the County Safety Committee, by and through the County Manager, has requested amendments to WCC Chapter 65. The proposed amendments have been formulated in consultation with various county officials and employees, such as the current or former Assistant County Manager for Administration and Finance, County Comptroller, Risk Management, the County Safety Officer and the County Security Administrator. Specific amendments are, as follows:

Proposed Amendments to WCC Chapter 65 (Safety and Disaster Services):

- Risk Manager: Repeals outdated sections related to the County Risk Manager, and transfers the former Risk Manager's duties to the Risk Management Division under the supervision of the Comptroller department.
- Settlement Authority: Expands settlement authority over claims and suits for damages in accordance with the approved Resolution to Delegate Decisions Regarding Litigation to Washoe County Chair and Washoe County Manager.
 - Expands risk management division's authority to settle claims related to damage and repair of county property (with no related third party claims) from \$1,000 to \$2,500;
 - Expands risk management division's authority to settle any claim or suit for damages from amounts less than \$10,000 to amounts up to \$25,000;
 - Expands the county manager's authority to settle any claim or suit for damages from amounts between \$10,000 but less than \$25,000 to amounts greater than \$25,000 but no more than \$150,000; and
 - Expands the board of county commissioner's sole authority to settle any claim or suit for damages from \$25,000 or greater to \$150,000 or greater.
- County Safety Program: Updates provisions related to the county's safety program to better conform to requirements of state law (NRS Chapter 618).
 - Updates contents of written safety program;
 - Provides that county safety officer shall work under the supervision of the Comptroller, rather than former Risk Manager;
 - Updates requirements related to the posting of safety notices;
 - Updates and clarifies reporting requirements for county officers, employees, volunteers and department heads to report a work-related injury or illness; and
 - Updates and clarifies requirements for county safety officer and/or risk management division to investigate reports of work-related injury or illness.
- Safety Committee: Revises provisions related to the county safety committee, including:
 - Updating provisions related to the powers and duties of the safety committee;
 - Updating the safety committee's membership to remove the county safety officer and risk manager from the committee membership, as the purpose of the safety committee is to review reports from those individuals; and to add an employee with knowledge of safety and security procedures in Washoe County (appointed by the County Manager) and add a representative from the county manager's office (also appointed by the County Manager);
 - Specifying that the representative from the county manager's office shall be a permanent member, and all others shall serve a 2-year term; and
 - Changing the frequency with which the committee meets from every other month to quarterly.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 65 (Safety and Disaster Services); and if supported, set the public hearing for a second reading and possible adoption of the Ordinance for May 14, 2024.

POSSIBLE MOTION

Should the Board agree with the recommendation, a possible motion would be:

“Move to introduce and conduct a first reading Bill # _____ [to be provided by County Clerk], which is an ordinance amending Washoe County Code Chapter 65 (Safety and Disaster Services) by repealing the definition of “division”; by repealing sections related to the county risk manager and transferring the former risk manager’s duties to the risk management division of the comptroller department; by amending provisions to: expand the risk management division’s authority to settle claims related to damage and repair of county property (with no related third party claims) from \$1,000 to \$2,500; expand the risk management division’s authority to settle any claim or suit for damages from amounts less than \$10,000 to amounts up to \$25,000; expand the county manager’s authority to settle any claim or suit for damages from amounts between \$10,000 but less than \$25,000 to amounts greater than \$25,000 but no more than \$150,000; expand the board of county commissioner’s sole authority to settle any claim or suit for damages from \$25,000 or greater to \$150,000 or greater; and by revising provisions related to: the county’s safety program; the county safety officer; posting of safety notices; reporting requirements for occupationally related injury or illness; reporting requirements in the event of a fatality or catastrophic event; reporting requirements by officers, employees, volunteers and department heads following an accident, incident or injury; written documentation of accidents and incidents; investigation and evaluation of accidents and incidents involving county officers, employees or volunteers and the safety committee’s review of such investigations; and by amending provisions related to the safety committee’s powers and duties, membership, terms of office, and meeting schedule; and all matters necessarily connected therewith and pertaining thereto; and set the public hearing for second reading and possible adoption of the Ordinance for May 14, 2024.”

Attachments:

- A. Working Copy of Proposed Ordinance
- B. Clean Copy of Proposed Ordinance