

Section	<b>ADM-3 Administration</b>	Approval Date	<b>10/23/03</b>
Policy	<b>ADM-3.1 Claims Processing Policy</b>	Latest Revision	<b>10/28/20</b>

## ADM-3.1 Claims Processing Policy

### 3.1.1 Purpose and Authority

The purpose of this policy is to establish a claims handling process that complies with the Government Claims Act, Government Code sections 810 and following and ACWA-JPIA's recommendations for claims handling. This process will be used by the District to address claims seeking reimbursement from the District for damages to personal or real property, or for personal injuries alleged to be caused by District facilities or equipment, or its directors, officers, employees or agents.

### 3.1.2 Policy

Pursuant to authority granted by the Government Claims Act, the District must take action on each valid claim made by a person or entity against the District for damages to personal or real property, or personal injuries before the person or entity is permitted to file legal action on such claims. Under this Policy, the Board of Directors grants the General Manager, or his or her designee, the authority to review and to approve or reject a claim for property damage in an amount not exceeding \$50,000. In accordance with the policies of the District's risk pool, ACWA-JPIA, all claims involving bodily injury must be denied by the Board of Directors and referred to ACWA-JPIA for handling.

The processing of all claims will be conducted in accordance with the Government Claims Act, including the time limits on claims processing and requirements for claims presentation. All claims for bodily injury in any amount and all claims exceeding \$50,000 in value will be presented for action to the Board of Directors at a noticed regular or special board meeting, within 45 days of receipt of the claim. District staff will present all documents received from a claimant, an investigation report, and a recommendation to approve or reject the claim. In the event that a claim against the District is rejected, District staff or legal counsel will send a letter to the claimant describing the Board of Directors' action on the claim and advising the claimant of his, her or its rights under the Government Claims Act with respect to any adverse action on the claim. Staff also will send a letter to and negotiate any necessary agreement with any claimant whose claim is approved in whole or in part.

### 3.1.3 Responsibility

The General Manager, or designee, has the authority to approve or reject a claim for damages to personal or real property up to a value of \$50,000. The Operations Manager has the responsibility to receive claim documentation and prepare an investigation report with recommendation for action to the General Manager or Board. The General Manager shall adopt and implement appropriate procedures to carry out this Policy and will report to the District Board of Directors at its next regular meeting on each claim in the amount of \$50,000 or less that is processed by staff under this policy.

### 3.1.4 Tender of Claims to Risk Pool or Insurer

Upon receipt of any claim, District staff will provide notice of the claim and all relevant documents to ACWA-JPIA or to any other risk pool or insurer from which the District may obtain any insurance coverage or indemnity for claims from time to time.

#### Revision History:

Revision Date	Description of Changes	Requested By
10/28/20	To bring up to date on current regulations – see staff report from October 28, 2020 Board meeting	Donna Silva, Finance Director