

s/o 2.96:13



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RECEIVED COUNTY COUNCIL
Snohomish County, Washington
SNOHOMISH COUNTY
EXECUTIVE OFFICE
for signature
AUG 9 1982 524

ORDINANCE NO. 82- 075

W.T. _____ T.C. _____ RELATING TO RISK MANAGEMENT

D.F. _____ S.W. _____

G.L. _____ D.J. _____

BE IT ORDIAINED:

Section 1. Snohomish County code sections 2.96.010, 2.96.020, 2.96.030, 2.96.040 and 2.96.050, as adopted by resolution on July 11, 1977, and amended on April 9, 1979, and section 2.96.070 as adopted on July 11, 1977, are each amended as follows:

2.96.010 Insurance and risk management department created. There is hereby created and approved the Snohomish County insurance and risk management department which will be accountable directly to the Snohomish County ~~((commissioners))~~ executive or such subordinate of the executive as is hereafter designated by executive resolution. The department will be organized and will operate as provided in this chapter.

2.96.020 Purpose. The insurance and risk management department shall have ~~((complete))~~ responsibility to identify, control, minimize and provide for loss from damage to Snohomish County property, loss of income to the county, injury to employees, loss or injury to members of the public and loss from any and all types of claims against Snohomish County. This department would be responsible for ~~((all))~~ county risk management and insurance functions as provided in this chapter. This ~~((would))~~ includes ~~((but-not-be limited-to))~~ the following:

Risk Identification. The continuing identification of exposures to loss and a quantitative measurement of the risk involved, in terms of both frequency and severity. "Risk," in this context, means chance of loss;

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~~((Risk-Control---The-application-of-prudent-safety, security, loss-prevention-and-loss-minimization-methods, so as-to-avoid-or-reduce-risk-or-loss;))~~

Risk Finance. The provision of funds to meet loss situations on the most economic basis, through the use of internal financial resources and through the transfer of risks to other parties, such as commercial insurance, or the pooling or sharing of risks with other governmental entities, and use of other external resources, such as, but not limited to the Federal Disaster Relief Act.

The insurance risk management department shall have no authority over:

(1) Any insurance or other program whereby benefits as part of compensation are conferred upon officers and employees of the county; Provided, that this exception shall not apply to any authority and responsibility conferred upon the risk management department or the risk manager by Snohomish County Code chapter 2.96.

(2) Any safety programs, inspection, security, or education to decrease the risk of injury to employees or the general public or damage or destruction of county property through unsafe acts of employees or others, which functions are the responsibility of the department of personnel.

2.96.030 Department structure and personnel. The department of insurance and risk management shall be composed of a risk manager, ~~((safety-director-and))~~ secretary, and other support staff as is from time to time necessary. The risk manager shall have full authority and responsibility to carry out the duties of the department as outlined below.

In addition to the personnel listed above, the department of risk management shall be furnished legal and claims investigative assistance from the office of the prosecuting attorney.

2.96.040 Risk manager--Duties and responsibilities. The risk manager has the authority and responsibility for ~~((all-of-the))~~ county risk and insurance management as stated in this chapter. He will apply to risks of fortuitous loss and risk management process which includes a systematic and continuous identification of loss exposure,

the analysis of these exposures in terms of frequency and severity probabilities, the application of sound risk control procedures and the financing of risk consistent with Snohomish County's financial resources. His duties shall include (~~but-not-be-necessarily-limited-to~~) the following:

(1) Identifying, measuring and analyzing risks, and to make recommendations to the county (~~commissioners~~) ~~executive~~ as to whether to insure, self insure, or budget risks or to use some combination of these methods, together with the amounts, the use of deductibles, co-insurance, replacement cost coverage, and other special program features. Recommend changes in current county policy with respect to loss prevention, self insurance, insurance coverage, when appropriate, and finally, to forecast cost-of-risk or loss ratios far enough in advance to be included in all the respective county departments' and divisions' operating budgets and to establish and allocate cost-of-risk or loss ratios of accidental loss as equitably as possible among all county departments and divisions, based upon loss experience;

~~((2)--To-continually-review,-recommend-and-implement property-conservation-and-accident-prevention-procedures-by supervising-and-encouraging-all-loss-prevention-activities within-the-county-in-cooperation-with-department-and division-heads-to-maintain-a-working-safety-program-county-wide;))~~

~~((3))~~ (2) To make periodic inspections and analyze loss exposure on a continuing basis. This will include the monitoring of all legal expenses and costs;

~~((4))~~ (3) To review all leases, contracts and bonds, and provide appropriate clauses thereto;

~~((5))~~ (4) To prepare specifications for insurance where needed, negotiate with brokers of record, and analyze and recommend placement of insurance and bonds;

~~((6))~~ (5) At the direction of the prosecuting attorney, to provide all procedures for supervision and adjustment of claims, when and where necessary, subject to the duties of the prosecuting attorney as outlined in (~~subsection-(b)-of~~) Section 2.96.050;

~~((7))~~ (6) To maintain complete and current insurance records and loss records on all claims, whether insured or uninsured;

~~((8))~~ (7) To make periodic (quarterly and annual) reports on the current status of insurance, claims and loss prevention programs;

~~((9))~~ (8) To work closely with other governmental entities in providing insurance programs which are mutually beneficial;

~~((10))~~ (9) To do anything else that is necessary to protect the interest of the county.

2.96.050 Responsibilities of ~~((other-personnel))~~ the Prosecuting Attorney. ~~((1)--Safety-Officer--The-safety officer-shall-work-under-the-direct-control-and-supervision of-the-risk-manager-and-shall-be-directly-responsible-for finding,-implementing-and-carrying-out-all-federal,-state and-county-safety-programs-within-the-county--He-shall-also review-all-county-operations-and-recommend-and-implement accident-prevention-procedures-and-loss-prevention procedures-within-the-county-~~

~~((2)--County-Prosecuting-Attorney-))~~ The county prosecuting attorney shall review all contract forms entered into by the county with the risk manager to identify and reduce any contractual liability being assumed by the county and attempt to transfer such liability to the other party or parties.

He shall provide claims investigation service through his investigator.

He shall provide all legal assistance in the investigation and settlement of claims and shall see that notices of appearance are timely filed in regard to lawsuits filed against the county. His recommendation is required on all claims alleging damages. Such recommendation shall be in writing on claims in excess of \$500.00.

In the event outside assistance is necessary he shall recommend the firm or attorney to be employed by the ~~((commissioners))~~ executive.

He shall serve as legal advisor to the risk manager in all matters and shall continuously review insurable contracts and bonds, and shall notify the risk manager of any changes in state statutes and common law which affect the liability of the county.

2.96.070 General scope. The general scope of risk management and insurance responsibilities of the risk manager shall include:

- a. All areas related to fire insurance, inland marine, glass, crime, or other first-party insurance coverages;
- b. All areas relating to general liability;
- c. All areas relating to public liability and property damage on automobiles and other county vehicles and equipment;
- d. All areas relating to comprehensive general liability coverage;
- e. All areas relating to catastrophic insurance;
- f. All areas relating to false arrest;
- g. All areas relating to errors and omissions;
- h. All areas relating to workmen's compensation;
- i. All areas relating to bonding.

Nothing in this section shall extend the scope and responsibility of risk management to employment benefits as defined in the Snohomish County Code.

PASSED this 2 day of August, 1982.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Cliff Bailey
Chairperson

Approved as to Form:

Deputy Prosecuting Attorney

ATTEST:

Ellie Lopez
Clerk of Council

- () APPROVED
- () VETOED
- () EMERGENCY

DATE: 8-11-82

Willis D. Tucker
County Executive

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