



WASHOE COUNTY

"Dedicated To Excellence in Public Service"

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CM/ACM _____

Finance _____

DA _____

Risk Mgt. N/A

HR N/A

Other N/A

STAFF REPORT

BOARD MEETING DATE: July 28, 2015

DATE: July 20, 2015
TO: Board of County Commissioners
FROM: Michael W. Large, Deputy District Attorney
THROUGH: Joey Orduna Hastings, Assistant County Manager
SUBJECT: Approve the settlement of the claims by Robert Wynters against Washoe County *et al.*, for a total sum of \$14,000 for all claims against defendants, with funding from the Risk Management fund; and adopt the Procedures for Removal and Storage of Personal Property from Campsites on Washoe County Property, No. 1.

SUMMARY

We are seeking the approval of the Board to settle the referenced claims against Washoe County by Robert Wynters of payment in the amount of \$14,000 and adoption of the attached Procedures for Removal and Storage of Personal Property from Campsites on Washoe County Property, No. 1.

PREVIOUS ACTION

The Board previously authorized payment in settlement of \$14,000 in this case.

BACKGROUND

This matter arose from the disposal of items owned by a Robert Wynters, a homeless individual residing in Washoe County, by Washoe County personnel during a Truckee River Cleanup.

FISCAL IMPACT

Funds are available in the Risk Management Fund, cost center 195053, account 710597, to pay the proposed settlement.

RECOMMENDATION

It is recommended that the Board approve the settlement of the claims by Robert Wynters against Washoe County *et al.*, for a total sum of \$14,000 for all claims against defendants, with funding from the Risk Management fund; and adopt the Procedures for Removal and Storage of Personal Property from Campsites on Washoe County Property, No. 1.

AGENDA ITEM # 5E2

POSSIBLE MOTION

Should the Board agree with staff's recommendation, possible motions would be:
Move to approve the settlement of the claims by Robert Wynters against Washoe County *et al*, for a total sum of \$14,000 for all claims against all defendants, with funding from the Risk Management fund; and to adopt the Procedures for Removal and Storage of Personal Property from Campsites on Washoe County Property, No. 1.



Washoe County
Policies and Procedures

Title/Topic: Procedures for Removal and Storage of Personal Property from Campsites on Washoe County lands	Number: 1
Author: Michael W. Large	Effective Date:
	Revision Date:
Reviewed by: DA <input checked="" type="checkbox"/> ; HR <input type="checkbox"/> ; Risk Mgt. <input type="checkbox"/>	Number of pages: 4 including attachment
Department Approval: Approved by Community Services Department	Attachments: 2 pages

I. PURPOSE

It is the purpose of this policy to establish guidelines and procedures necessary to allow Washoe County appropriate removal of the public’s personal property from illegal campsites on Washoe County owned and managed lands. These guidelines and procedures provide for the removal of personal property from illegal campsites while allowing Washoe County the ability to maintain its property, protecting natural resources and maximizing the overall benefits derived from such activities within the County’s public lands, for the benefit of the citizens of Washoe County.

II. PERSONS AFFECTED

All employees involved in the operation and maintenance of Washoe County public lands. This is a County-Wide policy and is intended to guide efforts for Washoe County Sheriff’s Office Inmate Crews, Community Services Department staff, volunteers, and community partners that are actively cleaning up the County’s public lands including parks, right-of-ways, open space and other County public lands.

III. POLICY

Camping and overnight stays are generally prohibited on the County’s public lands unless authorized in designated areas; however, homeless individuals are known to camp and stay overnight in certain areas. Homeless encampments are locations where one or more homeless people live in an area on properties owned by Washoe County.

In locations where camping or staying overnight regularly occurs, signs may be posted by the County announcing that camping is not allowed according to Washoe County Code. Personal property left on County public lands that is reasonably believed to be the result of camping, may be removed and subject to storage after the County posts proper notice in accordance with this policy, unless it poses a safety hazard or a concern for public health. Items that pose a safety hazard or a public health concern will be immediately removed.

Items that are identified as personal property will be turned over to Washoe County personnel and stored. Items that are identified as trash/debris/junk will be immediately discarded. The personal property shall be stored for no more than 30 days. During that period it will be reasonably available to persons claiming ownership of the personal property.

Personal property includes items which are reasonably recognizable as belonging to individual persons and which have apparent utility (these items include, but are not limited to, backpacks, identification, legal documentation, prescriptions, toiletries, clothes, and bedding). Items that appear to be personal property will be placed in bags and tagged with time, date and location of collection point. Items which have no apparent utility will be discarded immediately. Staff and volunteers should use caution and are not encouraged to go through items of personal property.

Weapons, drug paraphernalia, and any items which reasonably appear to be either stolen or evidence of a crime will be turned over to the appropriate law enforcement agency.

Written Notice

Written notice will be posted in a conspicuous location in the general area of the personal property to be removed. Staff is encouraged to place written notice in high traffic areas within the parks and along the Truckee River. The notice is to be posted at least 24 hours prior to removal of the personal property by the County.

The written notice must include:

- (a) The date that the notice was posted;
- (b) The date by which personal property must be removed by the property owner;
- (c) The time frame in which the County may remove the personal property, within 24 hours to 7 days after the date and time of the posting;
- (d) That the property will be stored no more than 30 days, and;
- (e) The telephone number and location where information on recovering the property may be obtained.