



**PROPERTY AND LIABILITY  
BOARD OF DIRECTORS MEETING  
DECEMBER 21, 2017  
10:30 A.M.**

**AGENDA**

**I. Consent Agenda**

A. Approval of Minutes for October 2017 Board of Directors Meeting Nick Kouklis

B. Approval of Payment of Student Insurance Claims in the Amount of \$60,119.88 and Tackle Football Claims in the Amount of \$3,893.00 for the Month of October 2017 Nick Kouklis

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

C. Approval of Payment of Student Insurance Claims in the Amount of \$75,706.28 and Tackle Football Claims in the Amount of \$1,803.15 for the Month of November 2017 Nick Kouklis

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

**II. Public Comment**

### **III. Closed Session- Property and Liability Claims**

The board may be required to adjourn to closed session for discussion of matters regarding a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability, authorized by Government Code 54956.95.

<b>District</b>	<b>File Number</b>	<b>Claimant</b>
Templeton Unified School District By Pat Tumbarello	2016019074	Isaac Lindsey & Helen Lindsey L-BI
San Luis Coastal Unified School District By Pat Tumbarello	2017024736	Toran Moranic L-BI
Lucia Mar Unified School District By Pat Tumbarello	2017027082	B.W. L-BI
El Tejon Unified School District By Ty Taylor	2017025437	David Mkrtchyan L-BI
Lake Elsinore Unified School District By Ryan Bourget	2017025701	Property
Konocti Unified School District By Ryan Bourget	2018028268	Property
Trona Joint Unified School District By Ryan Bourget	2017024766	Property
Lucia Mar Unified School District By Ryan Bourget	2017027243	Property
Lucia Mar Unified School District By Ryan Bourget	2017027244	Property
Panama-Buena Vista School District By Roxanne Dailey-Webb	2018027799	Property

### **IV. Reconvene To Open Session**

A. Reports from Closed Session, if Required

**V. Action Items**

- A. Report of Property and Liability Claims in the Amount of \$1,833,248.55 for the Month of October 2017 and Ratification of Payment of this amount Robert Kretzmer

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

- B. Report of Property and Liability Claims in the Amount of \$1,590,697.84 for the Month of November 2017 and Ratification of Payment of this amount Robert Kretzmer

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

- C. Financial Report – Presentation of Financial Statements for the Month of October 2017 and November 2017 Will Be Submitted for Approval Kim Sloan

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

- D. Approval of Excess Liability Insurance Rate Renewal for 2018 Kim Sloan

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

- E. Approval of Excess Property Insurance Rate Renewal for 2018 Kim Sloan

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

- F. Request Approval of the Property & Liability Independent Financial Audit Report for the Year Ended June 30, 2017 Megan Hanson

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

- G. Approval of Cyber Suite Coverage Robert Kretzmer

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

## **VI. Information and Discussion Items**

- |   |                 |
|---|-----------------|
| A. STOP!T Funding for 2018  | Robert Kretzmer |
| B. Update on Concealed Carry Weapons on School Grounds  | Robert Kretzmer |
| C. Update on Liability Memorandum of Coverage   | Robert Kretzmer |
| D. Business Insurance Article on High Profile Losses  | Robert Kretzmer |
| E. Duncan Low's Retirement  | Robert Kretzmer |
| F. Comments from the Board of Directors Will Be Heard   | Nick Kouklis    |
| G. Next Meeting:<br>Thursday, January 18, 2018<br>10:30 a.m.<br>SISC Board Room, 4 <sup>th</sup> Floor-Larry E. Reider Education Center<br>2000 K Street, Bakersfield, CA 93301 | Nick Kouklis    |
| H. Adjournment  | Nick Kouklis    |

Moved \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

Any materials required by law to be made available to the public prior to a meeting of the Governing Board of the SISC II JPA can be inspected at the following address during normal business hours at:  
2000 K Street, Bakersfield, CA. 93301

For more information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation to participate in the public meeting, please contact Kristy Comstock at 661-636-4682 or [krcomstock@kern.org](mailto:krcomstock@kern.org)

\*The number of Board Members needed to form a quorum for this meeting is seven

## PROPERTY & LIABILITY TERMINOLOGY

1. **AMERICANS WITH DISABILITIES ACT (ADA)** - A federal act designed to set standards to remove the barriers to employment, transportation, public accommodations, public services, and telecommunications that exist for those members of our society who have physical disabilities. The act encompasses aspects of everyday life and generates wide ranging implications for almost every business or service.
2. **CIVIL RIGHTS VIOLATIONS** - The term applied to tort claims involving issues of sexual harassment; wrongful termination; employment, age, gender or race discrimination; ADA; employment harassment. If Plaintiff prevails, even partially, this type of case entitles plaintiff to also collect attorney fees.
3. **CLAIM TYPES** – The internal coding systems for claims includes:

ABI – Auto Bodily Injury	BM – Boiler/Machinery	LPD–Liability Property Damage
ACL – Auto Collision	CF – Crime/Fidelity	P - Property
ACP – Auto Comprehension	LBI – Liability Bodily Injury	SE – Special Education
AGK – Auto Garage Keepers	LPI – Liability Personal Injury	
APD – Auto Property Damage		
4. **COMPARATIVE NEGLIGENCE** - A more modern system of allocating damages between two or more persons than the method of contributory negligence. Under comparative negligence, the damages collectible in relation to another person are diminished in proportion to one's degree of negligence. In most instances, damages cannot be collected at all if the claimant's negligence were greater than that of the other party. Currently, in a few instances, the courts have awarded both parties damages as a percent of the total damages, depending on respective degrees of fault.
5. **DECLARATORY RELIEF ACTION** - Remedy for the determination of a judicial controversy where a plaintiff or defendant is in doubt as to their legal rights. No consequential relief is awarded.
6. **ERRORS AND OMISSIONS (E&O)** - A form of Professional Liability insurance which provides coverage for mistakes made in a profession not involved with the human body (lawyers, architects, engineers) or for mistakes made in a service business (insurance, real estate, and others). Also a form of coverage for financial institutions protecting against loss to lending institutions which fail to effect insurance coverage.
7. **HOLD HARMLESS AGREEMENT** - A contractual arrangement whereby one party assumes the liability inherent in a situation, thereby relieving the other party of responsibility. Such agreements are typically found in leases and easements and construction contract agreements. Agreement or contract in which one party agrees to hold the other without responsibility for damage or other liability arising out of the transaction involved.
8. **INJUNCTIVE RELIEF ACTION** - Legal action filed for prohibitive or equitable relief. An action filed to forbid an act or to restrain someone from continuing an act which is considered unjust or injurious.
9. **MOTION FOR SUMMARY JUDGMENT** - Rule of civil procedure permitting either side in a civil suit to move for dismissal when it is believed that there is no genuine issue of material fact that would allow the other side to prevail as a matter of law. The "motion" may include all or part of a claim.
10. **PERSONAL INJURY** - Injury, other than bodily injury, results from oral or written communication.
11. **PUNITIVE DAMAGES (Exemplary)** - Damages awarded separately and in addition to compensatory damages, usually on account of malicious or wanton misconduct, to serve as a punishment for the wrongdoer and, possibly, as a deterrent to others. Sometimes referred to as "exemplary damages" when intended to "make an example" of the wrongdoer. By law, government entities are immune from punitive damages.
12. **SUBROGATION** - In insurance, the substitution of one party (insurer) for another party (insured) to pursue any rights the insured may have against a third party liable for a loss paid by the insurer.
13. **TORT** - A legal wrong arising from a breach of duty fixed by law, except under contract, causing injury to persons or property and redressible by legal action for damages. Government entities are ruled by the Tort Claims Act.