



**PROPERTY AND LIABILITY  
BOARD OF DIRECTORS MEETING  
JULY 20, 2017  
10:30 A.M.**

**AGENDA**

**I. Consent Agenda**

- A. Approval of Minutes for June 2017 Board of Directors Meeting Nick Kouklis
- B. Approval of Payment of Student Insurance Claims in the Amount of \$123,279.73 and Tackle Football Claims in the Amount of \$320.00 for the Month of June 2017 Nick Kouklis

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

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

**II. Public Comment**



## **V. Action Items**

- A. Report of Property and Liability Claims in the Amount of \$839,946.96 for the Month of June 2017 and Ratification of Payment of this amount Nick Kouklis

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

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

- B. Financial Report – Presentation of Financial Statements for the Month of June 2017 Will Be Submitted for Approval Kim Sloan

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

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

- C. Approval to move February Board Meeting Date from 2/15/18 to 2/22/18 Nick Kouklis

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

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

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

- A. Annual Review of SISC Investment Policy Kim Sloan

- B. Comments from the Board of Directors Will Be Heard Nick Kouklis

- C. Next Meeting: Nick Kouklis  
Thursday, August 17, 2017  
10:30 a.m.  
SISC Board Room, 4<sup>th</sup> Floor-Larry E. Reider Education Center  
2000 K Street, Bakersfield, CA 93301

- D. 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.



**PROPERTY AND LIABILITY  
BOARD OF DIRECTORS MEETING  
JUNE 15, 2017  
10:30 A.M.**

**MINUTES**

The Regular Meeting of the Board of Directors of SISC II Property and Liability Program was called to order by Director Kouklis at 10:31 a.m. on Thursday, June 15, 2017 in the SISC Board Room on the 4<sup>th</sup> Floor of the Reider Center, 2000 K Street, Bakersfield, California 93301. The following individuals were in attendance:

**MEMBERS PRESENT:**

Nick Kouklis  
Karen Cox  
Paul Miller  
Dr. John Mendiburu  
Joe Grubbs  
Bill Ridgeway  
Jackie Martin  
Robert Hughes  
Jan Medema

**ALTERNATES PRESENT:**

Chris Hall

**OTHERS PRESENT:**

Kim Sloan  
Kristy Comstock  
Rich Edwards  
Bob Kretzmer  
Ty Taylor  
Pat Tumbarello  
Kerri Jones  
Ryan Bourget  
Roxann Dailey-Webb  
Duncan Low

## **Consent Agenda**

Motion was made by Director Cox, seconded by Director Medema and by roll call vote of 8-Yes, 0-No, and 1-Abstention (8-0-1)(abstained by Director Martin), to approve the Consent Agenda as follows:

## **Minutes**

Approval of Minutes for May 2017 Board of Directors Meeting

## **Student Insurance and Tackle Football Claims**

Approval of payment of Student Insurance Claims in the Amount of \$173,678.13 and Tackle Football Claims in the Amount of \$759.52 for the month of May 2017.

## **Public Comment**

None

## **Closed Session – Property & Liability Claims**

The Board went into closed session at 10:32 a.m.

## **Reconvene to Open Session**

The Board reconvened into open session at 11:18 a.m.

Director Kouklis reported on the following cases:

<p>With respect to the claim filed by Sierra Stephens against Lake Elsinore Unified School District after discussion, motion was made by Director Mendiburu, seconded by Director Cox and by roll call vote of 9-0-0 the board approved the payment of \$112,500.00 for the settlement of this claim with Sierra Stephens.</p>
<p>With respect to the claim filed by Jalen Wallace against Upland Unified School District after discussion, motion was made by Director Cox, seconded by Director Mendiburu and by roll call vote of 9-0-0 the board approved the payment of \$45,000.00 amount for the settlement of this claim with Jalen Wallace.</p>
<p>With respect to the claim filed by Carly Schroder against Tehachapi Unified School District after discussion, motion was made by Director Ridgeway, seconded by Director Miller and by roll call vote of 9-0-0 the board approved the payment of \$75,000.00 for the settlement of this claim with Carly Schroder.</p>
<p>With respect to the claim filed by Tina Christen against Lompoc Unified School District after discussion, motion was made by Director Cox, seconded by Director Medema and by roll call vote of 9-0-0 the board approved the payment of an undisclosed amount for the settlement of this claim with Tina Christen.</p>
<p>With respect to the claim filed by Andrea Groppetti against Lompoc Unified School District after discussion, motion was made by Director Medema, seconded by Director Grubbs and by roll call vote of 9-0-0 the board approved the payment of an undisclosed amount for the settlement of this claim with Andrea Groppetti.</p>

With respect to the claim filed by V.N. against Upland Unified School District after discussion, motion was made by Director Cox, seconded by Director Medema and by roll call vote of 9-0-0 the board approved the payment of \$147,000.00 for the settlement of this claim with V.N.

With respect to the claim filed by C.C. against Big Oak Flat Groveland Unified School District after discussion, no action was taken.

With respect to the claim filed by Merced County Office of Education after discussion, motion was made by Director Cox, seconded by Director Ridgeway and by roll call vote of 9-0-0 the board approved the payment of \$25,535.00 for replacement value of a damaged bus.

With respect to the claim filed by Mariana Barreuta against Lompoc Unified School District after discussion, motion was made by Director Mendiburu, seconded by Director Miller and by roll call vote of 9-0-0 the board approved the payment of an undisclosed amount for the settlement of this claim with Mariana Barreuta.

With respect the claim filed by CF against Kern County Superintendent of Schools after discussion, no action was taken.

## **Action Items**

### **Report of Property and Liability Claims – May 2017**

Bob Kretzmer presented the Report of Property and Liability Claims. There were 41 new claims, 66 claims were closed and zero claims reopened, resulting in 376 pending claims. Bob reviewed the check register for May 2017, reporting on seven checks that were in excess of \$25,000.00. After discussion, motion was made by Director Cox, seconded by Director Medema and by roll call vote of 9-0-0, approving payment of Property and Liability Claims in the amount of \$1,812,065.27 for the month of May 2017.

### **Financial Report**

Kim Sloan reviewed with the Board the Financial Report for the period ending May 31, 2017. Kim reported the LAIF rate for the month of May 2017 went up to .93% compared to last month's rate of .88%. After discussion, motion was made by Director Medema, seconded by Director Mendiburu and by roll call vote of 9-0-0, approving the Financial Report as submitted.

### **Approval of the 2017-2018 Budget**

Kim Sloan presented the 2017-2018 budget to the board for approval. After discussion, a motion was made by Director Mendiburu, seconded by Director Cox and by roll call vote of 9-0-0, approving the SISC II budget as submitted.

### **Approval of Revised Liability of Memorandum of Coverage**

Robert Kretzmer presented the revised Liability of Memorandum of Coverage to the board for approval. After discussion, a motion was made by Director Cox, seconded by Director Medema and by roll call vote of 9-0-0, approving the revised Liability of Memorandum of Coverage as submitted.

### **Approval of Revised Property of Memorandum of Coverage**

Robert Kretzmer presented the revised Property of Memorandum of Coverage to the board for approval. After discussion, a motion was made by Director Medema, seconded by Director Cox and by roll call vote of 9-0-0, approving the revised Property of Memorandum of Coverage as submitted.

### **Approval of the 2017-2018 Board Meeting Times, Dates and Places**

Director Kouklis discussed the meeting dates and times for the coming year. He noted the meetings in September and March are scheduled a week later than normal, November board meeting will be scheduled as needed, and October meeting will be at Lucia Mar Unified School District. After discussion motion was made by Director Mendiburu, seconded by Director Grubbs and by roll call vote of 9-0-0, approving the board meeting schedule for 2017-2018.

### **Information and Discussion Items**

#### **Discussion on Towing and Roadside Service Benefits**

Information item was tabled until the next board meeting in July.

#### **Review of Article "Generations in the Workplace"**

Information item was tabled until the next board meeting in July.

#### **Comments from the Board of Directors**

Director Kouklis went over the details of the Annual Board Meeting in October with the board.

#### **Adjournment**

There being no further business to come before the Board, motion was made by Director Cox, seconded by Director Medema and by roll call vote of 9-0-0, adjourning the meeting at 12:11 p.m.

#### **Next Meeting**

The next meeting of the Board of Directors will be held **Thursday, July 20<sup>th</sup>** at 9:00 a.m. in the SISC Board Room, 4<sup>th</sup> Floor, Larry E. Reider Education Center, 2000 K Street, Bakersfield, CA 93301

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Bill Ridgeway, Secretary