



**PROPERTY AND LIABILITY
BOARD OF DIRECTORS MEETING
JUNE 16, 2016
10:30 A.M.**

AGENDA

I. Consent Agenda

- A. Approval of Minutes for May 2016 Board of Directors Meeting Nick Kouklis
- B. Approval of Payment of Student Insurance Claims in the Amount of \$124,655.99 and Tackle Football Claims in the Amount of \$529.04 for the Month of May 2016 Nick Kouklis

Moved _____ 2nd _____

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.

District	File Number	Claimant
Orcutt Union School District By Pat Tumbarello	2013006958	Mayra Jiminez A-BI
Hanford Joint Union High School District By Ryan Bourget	2016020241	Rosemarie Serna L-BI
Hanford Joint Union High School District By Ryan Bourget	2016019909	Carmine & Marilyn Coppola L-BI
Trona Joint Unified School District By Ryan Bourget	2016021640	Property
Kern High School District By Robert Kretzmer	086084	Bret Carter L-BI

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 \$599,704.26 for the Month of May 2016 and Ratification of Payment of this Amount Robert Kretzmer

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

- B. Financial Report – Presentation of Financial Statements for the Month of May 2016 Will Be Submitted for Approval Kim Sloan

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

- C. Request Approval of the 2016-2017 Budget Kim Sloan

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

- D. Request Approval of the 2016-2017 Board Meeting Times, Dates and Places Nick Kouklis

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

VI. Information and Discussion Items

- A. Update on the SISC Flex Navia Plan Kim Sloan
- B. Fire Hazard Mitigation Presentation Kerri Jones
- C. Concussion Insurance Program Update Robert Kretzmer
- D. Executive Committee Report Nick Kouklis
- E. Presentation of the Organizational Chart Nick Kouklis
- F. Comments from the Board of Directors Will Be Heard Nick Kouklis

G. Next Meeting:
Thursday, July 21, 2016
10:30 a.m.
SISC Board Room, 4th Floor-Larry Reider Education Center
2000 K Street, Bakersfield, CA 93301

Nick Kouklis

H. Adjournment

Nick Kouklis

Moved _____ 2nd _____

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

*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
MAY 19, 2016
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 10:32 a.m. on Thursday, May 19, 2016 in the SISC Board Room on the 4th Floor of the Reider Center, 2000 K Street, Bakersfield, California 93301. The following individuals were in attendance:

MEMBERS PRESENT:

Nick Kouklis
Robin Shive
Karen Cox
Paul Miller
Dr. John Mendiburu
Dr. Kevin Silberberg
Bill Ridgeway
Eva Chavez (arrived 10:35)
Robert Hughes

ALTERNATES PRESENT:

Dr. Mary Barlow

OTHERS PRESENT:

Kim Sloan
Megan Hanson
Bonnie Bowles
Kristy Comstock
Rich Edwards
Fred Bayles
Bob Kretzmer
Ty Taylor
Ryan Bourget
Roxann D. Webb
John Caudle

Consent Agenda

Motion was made by Director Mendiburu seconded, by Director Miller and by roll call vote of 8-Yes, 0-No, and 0-Abstentions (8-0-0), to approve the Consent Agenda as follows:

Minutes

Approval of Minutes for April 2016 Board of Directors Meeting

Student Insurance and Tackle Football Claims

Approval of payment of Student Insurance Claims in the Amount of \$163,683.70 and Tackle Football Claims in the Amount of \$2,087.97 for the month of April 2016.

Public Comment

None

Closed Session – Property & Liability Claims

The Board went into closed session at 10:33 a.m.

Reconvene to Open Session

The Board reconvened into open session at 11:20 a.m.

Director Kouklis reported on the following cases:

With respect to the claim filed by N'Deye Brown against Antelope Valley Union High School District after discussion, motion was made by Director Silberberg, 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 N'Deye Brown.

With respect to the claim filed by Oswaldo Soto against Kern High School District after discussion, motion was made by Director Cox, seconded by Director Miller and by roll call vote of 9-0-0 the board approved the payment of \$830,000 for the settlement of this claim with Oswaldo Soto.

With respect to the claim filed by Tanielle Wollin against Amador County Unified School District after discussion, motion was made by Director Shive, seconded by Director Silberberg and by roll call vote of 9-0-0 the board approved the payment of \$55,000 for the settlement of this claim with Tanielle Wollin.

With respect to the claim filed by Zenadu Castellano against Lake Elsinore Unified School District after discussion, motion was made by Director Chavez, seconded by Director Cox 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 Zenadu Castellano.

With respect to the claim filed by Merced County Office of Education, there was no action taken

With respect to the claim filed by San Luis Coastal Unified School District after discussion, motion was made by Director Cox, seconded by Director Chavez and by roll call vote of 9-0-0 the board approved the payment of \$72,000 for replacement of storage building and contents damaged by fire.

With respect to the claim filed by Santa Barbara Unified School District after discussion, motion was made by Director Shive, seconded by Director Miller and by roll call vote of 9-0-0 the board approved the payment of upto \$50,000 for replacement of fire damaged building and inventory.

With respect to the claim filed by Bret Carter against the Kern High School District, there was no action taken

Action Items

Report of Property and Liability Claims – April 2016

Bob Kretzmer presented the Report of Property and Liability Claims. There were 42 new claims, 48 claims were closed and 0 claims reopened, resulting in 369 pending claims. Bob reviewed the check register for April 2016, reporting on eight checks that were in excess of \$25,000.00. After discussion, motion was made by Director Mendiburu, seconded by Director Miller and by roll call vote of 9-0-0, approving payment of Property and Liability Claims in the amount of \$1,365,716.27 for the month of April 2016.

Financial Report

Kim Sloan reviewed with the Board the Financial Report for the period ending April 30, 2016. Kim reported the LAIF rate for the month of April 2016 went up to .53% compared to last month of .51%. Investment reports for the quarter ending 3/31/16 were presented. After discussion, motion was made by Director Cox, seconded by Director Shive and by roll call vote of 9-0-0, approving the Financial Report as submitted.

Approval of Funding for Safe Schools Ambassadors Training for 2016/2017

Robert Kretzmer presented to the board the funding for the Safe Schools Ambassadors training for 2016-2017. After discussion, motion was made by Director Chavez, seconded by Director Shive and by roll call vote of 9-0-0, approving the funding for Safe Schools Ambassadors training for 2016/2017.

Information and Discussion Items

Discussion of School Dude Marketing Agreement

Robert Kretzmer presented the School Dude Marketing agreement to the board.

Discussion of Get Safety Trained On-line Training Status

Robert Kretzmer informed the board that this program is no longer being offered effective September 30th. Robert assured the board that more information will be given in regards to alternatives in a future board meeting.

Stop IT Update

Robert Kretzmer informed the board that this contract is currently still being reviewed by the legal department.

Comments from the Board of Directors

None

Adjournment

There being no further business to come before the Board, motion was made by Director Cox seconded by Director Miller and by roll call vote of 9-0-0, adjourning the meeting at 11:44 a.m.

Next Meeting

The next meeting of the Board of Directors will be held **Thursday, June 16th** at 10:30 a.m. at the Larry E. Reider Education Center, 2000 K Street, Bakersfield CA 93301.

Bill Ridgeway, Secretary