



**PROPERTY AND LIABILITY
BOARD OF DIRECTORS MEETING
MAY 19, 2016
10:30 A.M.**

AGENDA

I. Consent Agenda

- A. Approval of Minutes for April 2016 Board of Directors Meeting Nick Kouklis
- B. 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 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
Antelope Valley Union High School District By Ty Taylor	2015014413	N'Deye Brown L-BI
Kern High School District By Ryan Bourget	2013007647	Oswaldo Soto A-BI
Amador County Unified School District By Ryan Bourget	2016019431	Tanielle Wollin L-BI
Lake Elsinore Unified School District By Ryan Bourget	2014012698	Zenadu Castellano L-BI
Merced County Office of Education By Roxann Webb	20160213210	Property
San Luis Coastal Unified School District By Roxann Webb	2016021713	Property
Santa Barbara Unified School District By Roxann Webb	2016021958	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 \$1,365,716.27 for the Month of April 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 April 2016 Will Be Submitted for Approval Kim Sloan

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

- C. Approval of Funding for Safe Schools Ambassadors training for 2016/2017 Robert Kretzmer

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

VI. Information and Discussion Items

- A. Discussion of School Dude Marketing Agreement Randy Rogers
- B. Discussion of Get Safety Trained On-line Training Status Robert Kretzmer
- C. Update on the STOP!T Program Robert Kretzmer
- D. Comments from the Board of Directors Will Be Heard Nick Kouklis
- E. Next Meeting: Nick Kouklis
Thursday, June 16, 2016
10:30 a.m.
SISC Board Room, 4th Floor-Larry Reider Education Center
- F. 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
APRIL 21, 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 10:33 a.m. on Thursday, April 21, 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
Karen Cox
Paul Miller
Dr. John Mendiburu
Dr. Diane Cox
Bill Ridgeway
Robert Hughes

ALTERNATES PRESENT:

Dr. Mary Barlow
Dr. Sheldon Smith

OTHERS PRESENT:

Kim Sloan
Megan Hanson
Bonnie Bowles
Kristy Comstock
Rich Edwards
Bob Kretzmer
Ty Taylor

Consent Agenda

Motion was made by Director Mendiburu seconded, by Director D.Cox 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 March 2016 Board of Directors Meeting

Student Insurance and Tackle Football Claims

Approval of payment of Student Insurance Claims in the Amount of \$132,859.83 and Tackle Football Claims in the Amount of \$1,037.17 for the month of March 2016.

Public Comment

None

Closed Session – Property & Liability Claims

The Board went into closed session at 10:34 a.m.

Reconvene to Open Session

The Board reconvened into open session at 11:34 a.m.

Director Kouklis reported on the following cases:

With respect to the claim filed by Myrna Aguilera against Kern Community College District after discussion, motion was made by Director K.Cox, seconded by Director Ridgeway and by roll call vote of 8-0-0 the board approved the payment of an undisclosed amount for the settlement of this claim with Myrna Aguilera.

With respect to the claim filed by Bret Carter against Kern High School District after discussion, motion was made by Director Miller, seconded by Director Smith and by roll call vote of 8-0-0 the board approved the payment of an undisclosed amount for the settlement of this claim with Bret Carter.

Action Items

Report of Property and Liability Claims – March 2016

Bob Kretzmer presented the Report of Property and Liability Claims. There were 41 new claims, 39 claims were closed and 0 claims reopened, resulting in 363 pending claims. Bob reviewed the check register for March 2016, reporting on two checks that were in excess of \$25,000.00. After discussion, motion was made by Director K.Cox, seconded by Director Miller and by roll call vote of 8-0-0, approving payment of Property and Liability Claims in the amount of \$660,911.93 for the month of March 2016.

Financial Report

Kim Sloan reviewed with the Board the Financial Report for the period ending March 31, 2016. Kim reported the LAIF rate for the month of March 2016 went up to .51% compared to last month of .47%. After discussion, motion was made by Director Mendiburu, seconded by Director K.Cox and by roll call vote of 8-0-0, approving the Financial Report as submitted.

Information and Discussion Items

Review the Claim and Loss Management Summary Correction for February 2016

Robert Kretzmer presented the corrected summary to the board.

Stop IT Update

Robert Kretzmer informed the board that this contract is currently still with the legal department. Robert informed the board that this program is migrating all over California and that we are working on choosing schools for the pilot program.

SISC GASB 45 Trust Update

Kim Sloan informed the board about the upcoming changes to the SISC GASB 45 Trust. The GASB 45 Trust will be called the SISC OPEB Trust effective July 1, 2016. Trust A and Trust B will be combined effective June 30, 2016.

SISC Pension Stabilization Trust

Kim Sloan informed the board that soon the SISC Pension Stabilization Trust will be offered to SISC Member Districts. This program is designed to assist with building an asset to offset growing pension costs.

Comments from the Board of Directors

Director Kouklis gave the board an update on those who have been elected to the SISC II Board.

Adjournment

There being no further business to come before the Board, motion was made by Director D.Cox seconded by Director K.Cox and by roll call vote of 8-0-0, adjourning the meeting at 11:55 a.m.

Next Meeting

The next meeting of the Board of Directors will be held **Thursday, May 19th** at 10:30 a.m. at the Larry E. Reider Education Center, 2000 K Street, Bakersfield CA 93301.

Bill Ridgeway, Secretary