



SISC

Self-Insured Schools
of California

Schools Helping Schools

**PROPERTY AND LIABILITY
BOARD OF DIRECTORS MEETING**

APRIL 16, 2020

10:30 A.M.

AGENDA

*Notice of Teleconferencing Pursuant to Executive Order N-25-20 and Government Code section 54953: In order to mitigate possible impacts relating to the Coronavirus (COVID-19), the Board will conduct this meeting via teleconference or videoconference, with one or more Board members participating from remote locations. Members of the public wishing to observe the meeting or make public comments as authorized under Government Code section 54954.3 may do so at the following location: 2000 K St., 4th Floor. Bakersfield, CA 93301. Voting at this meeting shall be by roll call.

I. Consent Agenda

- A. Approval of Minutes for March 2020 Board of Directors Meeting Nick Kouklis
- B. Approval of Payment of Student Insurance Claims in the Amount of \$88,099.42 and Tackle Football Claims in the Amount of \$1,122.04 for the Month of March 2020 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
Lake Elsinore Unified School District By Roxann Dailey-Webb	2020037098	Adyen Lopez L-BI
Bakersfield City School District By Hilda Tabora	2020036816	Dominick Morales 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 \$1,081,022.13 for the Month of March 2020 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 March 2020 Will Be Submitted for Approval Kim Sloan

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

- C. Request Approval of the 2020-2021 Rates Kim Sloan

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

- D. Liability of Memorandum of Coverage Endorsement on Sexual Abuse and Molestation Robert Kretzmer

Moved _____ 2nd _____

Yes _____ No _____ Abstain _____ Roll Call Vote _____

VI. Information and Discussion Items

- A. Liability Memorandum of Coverage Revision Robert Kretzmer

- B. Discussion on COVID-19 Robert Kretzmer

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

- D. Next Meeting: Nick Kouklis

Thursday, May 21, 2020

10:30 a.m.

SISC Board Room, 4th Floor – Larry E. Reider Education Center
2000 K Street, Bakersfield, CA 93301

- E. 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 eight

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.



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**PROPERTY AND LIABILITY
BOARD OF DIRECTORS MEETING
MARCH 19, 2020
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, March 19, 2020 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
Ty Bryson
Paul Miller
Aaron Resendez
Rebecca Thomas
Dr. Kevin Silberberg
Joe Grubbs
Bill Ridgeway
Jackie Martin
Eva Chavez
Norma Wallace
Robert Hughes

ALTERNATES PRESENT:

Chris Hall

OTHERS PRESENT:

Kim Sloan
Megan Hanson
Kristy Comstock
Rich Edwards
Fred Bayles
Ty Taylor
Karen Morovich

Consent Agenda

Motion was made by Director Silberberg, seconded by Director Wallace and by roll call vote of 12-Yes, 0-No, and 0 Abstention (12-0-0) to approve the Consent Agenda as follows:

Minutes

Approval of Minutes for February 2020 Board of Directors Meeting

Student Insurance and Tackle Football Claims

Approval of payment of Student Insurance Claims in the Amount of \$65,596.31 and Tackle Football Claims in the Amount of \$1,696.50 for the month of February 2020.

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 10:45 a.m.

Director Kouklis reported on the following cases:

<p>With respect to the claim filed by Mojave Unified School District after discussion, motion was made by Director Grubbs, seconded by Director Thomas and by roll call vote of 12-0-0 the board approved the payment of \$79,272.68 for replacement of a tower pole.</p>
<p>With respect to the claim filed by San Luis Coastal Unified School District after discussion, motion was made by Director Silberberg, seconded by Director Chavez and by roll call vote of 12-0-0 the board approved the payment of \$94,182.91 for repairs to a solar system damaged by a district truck.</p>
<p>With respect to the claim filed by Lisa Irwin against San Luis Obispo County Office of Education after discussion, motion was made by Director Bryson, seconded by Director Wallace and by roll call vote of 12-0-0 the board approved the payment of \$49,000.00 for the settlement of this claim with Lisa Irwin.</p>

Action Items

Report of Property and Liability Claims – February 2020

Robert Kretzmer presented the Report of Property and Liability Claims. There were 53 new claims, 23 claims were closed and no claims reopened in February, resulting in 439 pending claims. Robert reviewed the check register for February 2020, reporting on eight checks that were in excess of \$25,000.00. After discussion, motion was made by Director Grubbs, seconded by Director Silberberg and by roll call vote of 12-0-0, approving payment of Property and Liability Claims in the amount of \$1,205,420.00 for the month of February 2020.

Financial Report

Kim Sloan reviewed with the Board the Financial Report for the period ending February 29, 2020. Kim reported the LAIF rate for the month of February 2020 dropped to 1.91% from last month at 1.97%. After discussion, motion was made by Director Miller seconded by Director Ridgeway and by roll call vote of 12-0-0, approving the Financial Reports as submitted.

Information and Discussion Items

Comments from the Board of Directors

None

Adjournment

There being no further business to come before the Board, motion was made by Director Miller, seconded by Director Grubbs and by roll call vote of 12-0-0, adjourning the meeting at 11:00 a.m.

Next Meeting

The next meeting of the Board of Directors will be held **Thursday, April 16th** at 10:30 a.m. in the SISC Board Room, 4th Floor-Larry E. Reider Education Center, 2000 K Street, Bakersfield, CA 93301.

Bill Ridgeway, Secretary