



# Memorandum

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

Reviewed by: Wmm Date: 4/9/10  
General Manager

DATE: April 9, 2010  
TO: General Manager  
FROM: Administrative Services Manager  
SUBJECT: 2010 Opportunities to Participate in Special District Risk Management Authority (SDRMA) Approved Training Programs, and Report on March 30, 2010 SDRMA Education Workshop

### 2010 Options for SDRMA Credit Incentive Training Programs

In January 2010, staff requested Board Director involvement in SDRMA’s Credit Incentive Program to reduce insurance expenses. By attending designated training events, Directors earn “discounts” that are applied to the District’s liability/property and workers compensation premiums.

Fortunately, with Director Bales and Director Delgado’s participation in Ethics AB 1234 training on February 10<sup>th</sup> and their attendance at the SDRMA Safety/Claims Education Day in Sacramento on March 30<sup>th</sup>, the District has received the maximum discount available in the Governance Track for this fiscal year, saving the District as much as \$28,000.

The attached list provides additional opportunities from July to December 2010 which would be applied to the 2010/11 fiscal year. The goal once again is to receive all four discount points.

With Director Downey volunteering to attend the six-hour workshop, “Board’s Role in Human Resources”, on July 29<sup>th</sup>, in Pebble Beach, District staff requests a volunteer to attend one of the other events listed. This could include a webinar set up from your home, or from the District offices. Two Directors are requested to attend a future SDRMA Safety/Claims Education Day – either in conjunction with the Annual California Special District Association Conference in Newport Beach, during the week following the September Board meeting (September 20–23, 2010) or in Sacramento during the last week of March 2011.

### Report on March 30, 2010 SDRMA Education Workshop

SDRMA offered eight breakout sessions during the day. There were two training themes presented – one focused on safety programs/workers compensation and the other focused on liability issues related to Board members and employment practices. Director Bales, Director Delgado, and I attended some of the same sessions, including:

1. Board Member Liability Issues – “There’s No I in Board”  
This session discussed the legal role of the Board in the activities of a public agency and the role of individual Board members. Citing relevant California Government Codes, the presenters defined Board member official duties to include establishment of policies for the operation of the District and the implementation of those policies through the general manager. Individual members are not liable for injuries caused by the act or omission of the public entity when acting within the course and scope of their official duties.

2. Small Claims Court Recovery – “Maximizing Returns”


This session focused on the small claims court process. How to start the process, serve the claim, prepare for and present at the hearing, and collection were each briefly discussed.

3. Employment Practices Update – “Good Intentions”

Government codes related to insurance, duty to defend, and damages awarded from employee acts/omissions were presented. Like Board members, employees are covered as long as they are acting within the course and scope of their duties. A public agency may refuse to defend or incur liability if the employee acted because of actual fraud, corruption, and/or criminal actions.

4. Liability Claims – “Did I Do That?”

This session discussed some of the legal elements necessary to establish liability against a public entity. The most significant exposures faced are “premises” such as a condition of property that creates a substantial risk of injury when used with due care; and “operations” which arise from a negligent or wrongful act/omission of an employee or failure to take measures to mitigate after constructive notice of a dangerous condition.



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Richard Norton

Attachment

**SDRMA Insurance Premium Credit Incentive Program: FY 2010-11**

Governance Track: Discount Options for Board Director Participation in 2010

<b>Date</b>	<b>Time</b>	<b>Length</b>	<b>Location</b>	<b>Description</b>
07/14/10	09:00 AM - 04:00 PM	6 Hours	Ventura	Module 1 - Governance Foundations
07/15/10	09:00 AM - 04:00 PM	6 Hours	Sacramento	Module 4 - Board's Role in Human Resources
07/16/10	10:00 AM - 12:00 PM	2 Hours	Webinar	Ethics AB 1234
07/22/10	10:00 AM - 12:00 PM	2 Hours	San Bernardino	Ethics AB 1234 Compliance Training
07/29/10	09:00 AM - 04:00 PM	6 Hours	Pebble Beach	Module 4 - Board's Role in Human Resources
08/04/10	10:00 AM - 12:00 PM	2 Hours	Riverside	Understanding the Brown Act & Your Responsibilities (P&L Only)
08/05/10	09:00 AM - 04:00 PM	6 Hours	Ventura	Module 2 - Setting Direction/Community Leadership
08/11/10	09:00 AM - 12:00 PM	3 Hours	Ontario	Exercising Your Management Rights
08/26/10	09:00 AM - 04:00 PM	6 Hours	Ventura	Module 3 - Board's Role in Finance And Fiscal Accountability
09/20/10	09:00 AM - 04:00 PM	6 Hours	Newport Beach	Module 1 - Governance Foundations
9/20-9/23/10	Various Sessions	N/A	Newport Beach	SDRMA Safety/Claims Education Day
9/20-9/23/10	Various Sessions	2 Days	Newport Beach	CSDA Annual Conference
10/14/10	09:00 AM - 04:00 PM	6 Hours	San Diego	Module 3 - Board's Role in Finance And Fiscal Accountability
10/28/10	09:00 AM - 04:00 PM	6 Hours	Ventura	Module 4 - Board's Role in Human Resources
10/28/10	10:00 AM - 12:00 PM	2 Hours	Webinar	General Manager Evaluations - The Basic Principles
11/04/10	10:00 AM - 12:00 PM	2 Hours	Webinar	Must Have Communication Protocols for District Boards & Staff
11/04/10	09:00 AM - 04:00 PM	6 Hours	San Diego	Module 4 - Board's Role in Human Resources
11/05/10	10:00 AM - 12:00 PM	2 Hours	Webinar	Required Sexual Harassment Prevention Training for Special Districts
12/21/10	09:00 AM - 12:00 PM	3 Hours	Ontario	Understanding Employee Privacy & Confidentiality Issues