



SunLine Transit Agency
October 23, 2024
10:40 a.m. – 11:10 a.m.

AGENDA

BOARD OPERATIONS COMMITTEE

Wellness Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

NOTICE TO THE PUBLIC

SunLine has discontinued its COVID-19 Emergency Declaration and has returned its Board and Board Committee meetings to live and in-person attendance at the location noted above. These meetings are no longer available for viewing, attendance, or comment by two-way audiovisual platform, two-way telephonic service, webcasting, or streaming video broadcast. SunLine may prepare audio or video recordings of Board meetings. In accordance with the Brown Act and California Public Records Act, these recordings are subject to public inspection for a period for thirty (30) days after the meeting.

In compliance with the Brown Act, agenda materials distributed 72 hours or less prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to or at the meeting at SunLine Transit Agency's Administration Building, 32505 Harry Oliver Trail, Thousand Palms, CA 92276 and on the Agency's website, www.sunline.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, and the Federal Transit Administration Title VI, please contact the Clerk of the Board at (760) 343-3456 if disability-related modification(s) and/or interpreter services are needed to participate in a Board meeting. Notification of at least 72 hours prior to the meeting time will assist staff in ensuring reasonable arrangements can be made to provide assistance at the meeting.

ITEM

RECOMMENDATION

1. CALL TO ORDER
2. FLAG SALUTE
3. ROLL CALL
4. FINALIZATION OF AGENDA

<u>ITEM</u>	<u>RECOMMENDATION</u>
5. PUBLIC COMMENTS	RECEIVE COMMENTS
NON AGENDA ITEMS Members of the public may address the Committee regarding any item within the subject matter jurisdiction of the Committee; however, no action may be taken on off-agenda items unless authorized. Comments shall be limited to matters not listed on the agenda. Members of the public may comment on any matter listed on the agenda at the time that the Board considers that matter. Comments may be limited to 3 minutes in length.	
6. PRESENTATIONS	
7. COMMITTEE MEMBER COMMENTS	RECEIVE COMMENTS
8. APPROVAL OF BOARD MEETING DATES FOR CALENDAR YEAR 2025 (Staff: Edith Hernandez, Clerk of the Board/Director of Legislative Affairs)	APPROVE (PAGE 3-4)
9. ADOPTING SETTLEMENT AUTHORITY POLICY (Staff: Luis Garcia, Chief Financial Officer)	APPROVE (PAGE 5-10)
10. ADJOURN	

SunLine Transit Agency

DATE: October 23, 2024 **ACTION**

TO: Board Operations Committee
Board of Directors

FROM: Edith Hernandez, Clerk of the Board/Director of Legislative Affairs

RE: Approval of Board Meeting Dates for Calendar Year 2025

Recommendation

Recommend that the Board of Directors approve the Board meeting dates for 2025 as listed on the attached schedule.

Background

All SunLine Transit Agency Board of Directors meetings will continue to be held every fourth Wednesday of the month with a few exceptions:

- The Board will “go dark” in August 2025 and November 2025. Items will be presented on during the following Board meeting.
- The December Board meeting will be held on the first week of the month to accommodate for the busy holiday season.

Staff has reviewed the calendar for possible conflicts, including the California League of Cities conferences, and concludes that there are no known conflicts with this schedule. This determination is made on what is currently available online for planned events but could change during the year.

Financial Impact

There is no financial impact.

Attachment:

- [Item 8a](#) – Board Meeting Schedule for 2025



SunLine Transit Agency/SunLine Services Group

Board Meeting Schedule for 2025

January 22

February 26

March 26

April 23

May 28

June 25

July 23

September 24

October 22

December 3

NOTE: The majority of all Board meetings are held at noon on the 4th Wednesday of the month with a few exceptions. The Board of Directors go dark in August and November. Special Board meetings may be called by the Chairman if needed. All Regular meetings are held in the Board Room at the SunLine Transit Agency Thousand Palms headquarters.

Staff proposes that the Board adopt a settlement authority policy that clearly delineates the employee or committee that may allow, compromise, or settle general liability and worker's compensation claims and lawsuits, depending on the dollar amount of the claim or lawsuit. Staff's goal is to streamline the settlement process to ensure efficient workflow, maintain transparency and improve accountability. To achieve this, staff is proposing the following changes which are detailed in the draft resolution:

1. The Finance/Audit Committee will review and advise on litigation matters, given its familiarity with settlements. This task will be removed from the Board Operations Committee.
2. The following employees and committee are authorized to settle valid general liability and workers' compensation claims and actions as follows:
 - a. CEO/General Manager: Up to \$50,000.
 - b. Finance/Audit Committee: Over \$50,000 up to \$250,000.
 - c. The Board of Directors will settle claims and actions in excess of \$250,000.
3. A staff committee will be formed to handle emergency settlements valued between \$50,000 and \$250,000 when it is not practicable to hold a Finance/Audit Committee meeting. The committee will consist of the CEO/General Manager, Chief Financial Officer, Chief Safety Officer, Chief of Human Relations, and General Counsel. Settlements made by this staff committee will be ratified by the Finance/Audit Committee at its next scheduled meeting.
4. The CEO/General Manager and General Counsel will keep the Board informed of matters, or litigation decisions related to matters, that implicate or challenge Agency policy irrespective of the amount of damages sought in the matter.

A discussion item and draft resolution was presented to the Finance/Audit Committee and the Board Operations Committee in September. Staff received comments and recommended changes from the two (2) committees and have incorporated the revisions in the proposed resolution.

Financial Impact

There is no direct financial impact to the proposed resolution. It is SunLine's obligation to continue to reduce risk and claims against the Agency and vigorously defend its interest by thoroughly investigating all claims and lawsuits filed against it.

Performance Goal

Goal 1: Workforce Investment – The proposed changes will enhance workforce investment by providing staff with clear guidelines and the authority they need to perform their duties confidently.

Goal 4: Valuable Community Asset – The proposed changes will improve the Agency’s responsiveness to settlement demands and increase transparency by clearly defining roles and responsibilities throughout the process.

Attachments:

- [Item 9a](#) – Resolution No. 0808

SUNLINE TRANSIT AGENCY

RESOLUTION NO. 0808

RESOLUTION ADOPTING SETTLEMENT AUTHORITY POLICY FOR GENERAL LIABILITY CLAIMS, WORKERS' COMPENSATION CLAIMS, AND EMERGENCY SETTLEMENTS

WHEREAS, no suit for money or damages may be brought against SunLine Transit Agency (SunLine) unless a written claim has been timely presented to SunLine and rejected in whole or in part; and

WHEREAS, SunLine has an obligation to vigorously defend its interest by thoroughly investigating all claims and lawsuits filed against it; and

WHEREAS, SunLine desires that all potential claims, claims, and lawsuits filed against it are resolved in a satisfactory manner; and

WHEREAS, on June 24, 2015 by Resolution No. 0745, the Board of Directors (Board) established the Finance/Audit Committee, Board Operations Committee, Strategic Planning and Operational Committee, and Taxi Committee, and tasked the Board Operations Committee with reviewing and advising on SunLine litigation, excluding worker's compensation actions; and

WHEREAS, on July 29, 2015 by Resolution No. 0746, the Board delegated to the Chief Executive Officer/General Manager the authority to make settlement decisions for worker's compensation claims and submit settlement offers to the full Board for approval; and

WHEREAS, SunLine desires to update and make other efficiency improvements in the process, and establish a comprehensive Settlement Authority Policy, which provides a clear delineation of authority to settle claims for all general liability and worker's compensation claims; and

WHEREAS, staff recommends that the Board establish a Settlement Authority Policy that will authorize the Chief Safety Officer, Chief Financial Officer, Chief Executive Officer/General Manager, Finance/Audit Committee, and a committee of staff to settle certain valid general liability and worker's compensation claims up to certain dollar values specified below.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of SunLine Transit Agency hereby rescinds Resolution No. 0746.

BE IT FURTHER RESOLVED, that the Board hereby tasks the Finance/Audit Committee with reviewing and advising on SunLine litigation and removes this task from the Board Operations Committee.

BE IT FURTHER RESOLVED, that the Board hereby establishes a Settlement Authority Policy for general liability and worker's compensation claims as follows:

a. The Chief Executive Officer/General Manager is authorized to settle valid general liability and worker's compensation claims and actions up to \$50,000; and

b. The Finance/Audit Committee, upon recommendation by the Chief Executive Officer/General Manager and/or General Counsel, is authorized to settle valid general liability and worker's compensation claims and actions over \$50,000 and up to \$250,000; and

c. The Board of Directors, upon recommendation by the Finance/Audit Committee and/or General Counsel, is authorized to settle valid general liability and worker's compensation claims and actions in excess of \$250,000, and to authorize payment of the same.

BE IT FURTHER RESOLVED, that for emergency situations when it is not practicable to hold a Finance/Audit Committee meeting, a staff committee consisting of the Chief Executive Officer/General Manager, Chief Financial Officer, Chief Safety Officer, Chief of Human Resources, and General Counsel may settle valid general liability and worker's compensation claims that have a financial impact of over \$50,000 and up to \$250,000. Settlements made by this staff committee will be ratified by the Finance/Audit Committee at its next scheduled meeting.

BE IT FURTHER RESOLVED, in all potential claims, claims, or legal actions that are allowed, compromised or settled, pursuant to the Board of Director's actions hereunder, the Chief Financial Officer will be responsible, upon written order of General Counsel and the Chief Executive Officer/General Manager and in accordance with the terms of such allowance, compromise or settlement, to cause the necessary check to be issued in an amount for which such liability, potential claim, claim, or legal action has been allowed, compromised or settled pursuant to this resolution.

BE IT FURTHER RESOLVED, that the Chief Executive Officer/General Manager and General Counsel shall keep the Board informed of matters, or litigation decisions related to matters, that implicate or challenge agency policy irrespective of the amount of damages sought in the matter.

APPROVED AND ADOPTED by the Board of Directors of SunLine Transit Agency on the 23rd day of October, 2024

AYES:

NOES:

ABSENT:

Nancy Ross
Chair of the Board

ATTEST:

Edith Hernandez
Clerk of the Board

APPROVED AS TO FORM:

General Counsel
Catherine Groves