



WASHINGTON STATE TRANSIT INSURANCE POOL | RISK MANAGEMENT IN MOTION
PO Box 11219 | Olympia, WA 98508 | 360-786-1620 | www.wstip.org

Minutes of the
Executive Committee Meeting
August 26, 2021
WSTIP Office & Zoom

Executive Committee Members Present	Staff Present
Danette Rogers, President, Pierce Transit Jesse Kinney, Vice-President, Valley Transit Scott Deutsch, Secretary, C-Tran Geri Beardsley, Large Member Rep, Community Transit Brandy Heston, Medium Member Rep, Grant Transit Authority David Ocampo, Small Member Rep, Columbia County Public Transportation Jenny George, At-Large Member Rep, Asotin County Public Transportation Shonda Shipman, Past President, Whatcom Transportation Authority Suzanne Coit, Treasurer, Intercity Transit	Cedric Adams, Claims Manager Matthew Branson, Deputy Director Anna Broadhead, Board Relations Tracey Christianson, Executive Director Robyn Galindo, Claims Specialist Rick Hughes, General Counsel Laura Juell, Training and Risk Coordinator Joanne Kerrigan, Member Services Manager Joel Lambert, Claims Associate
Board Members Present	
Jeff Lubeck, Ben Franklin Transit Betsy Dunbar, Central Transit SuziAnna Scheidegger, Community Transit Ken Mehin, Grays Harbor Transit Staci Jordan, Island Transit Justin Brockwell, Link Transit Shawn Larson, Link Transit	Amy Asher, Mason Transit LeeAnn McNulty, Mason Transit Elizabeth Halili, RiverCities Transit Jim Seeks, RiverCities Transit Joe Macdonald, Skagit Transit Monique Liard, Spokane Transit Authority
Guests Present	
Executive Session Only Mark Lee (attorney), Wolf & Lee	Melanie Espinoza, WSTA

Call to Order

President Rogers called the meeting to order at 9:04 am welcoming everyone to the hybrid meeting. Verbal roll call took place. Rogers asked if there were any changes to the agenda and hearing no changes, she asked for a motion to accept the agenda. **George moved to approve the agenda. Shipman seconded the motion and the motion passed.**

Consent Agenda

Minutes – July 22, 2021, July 2021 Vouchers and Electronic Payments totaling \$2,624,915.70.

				Total
Claims Vouchers	Numbers:	93501664	- 93501725	\$ 234,336.31
Administrative Vouchers	Numbers:	93001773	- 93001826	\$ 2,269,288.72
Electronic Payments	Dates:	07/01/2021	- 07/31/2021	\$ 121,290.67
				\$ 2,624,915.70

Rogers asked if there were any items to remove from the consent agenda. There were no items removed from the consent agenda. **Heston moved to approve the consent agenda. Kinney seconded the motion and the motion passed.**

Discussion / Potential Action Items

2021 Executive Committee Work Plan

Christianson said quite a bit of work had been done. There will be reports during the meeting regarding Law Enforcement Liability, Strategic Plan Items, and the Compensation and Benefits Study. She looked forward to tasks for the next month Size Criteria for Small, Medium, and Large Members for the upcoming elections, the Executive Director Performance Evaluation, noted Communicable Disease Claim is updated in the Executive Staff Report and asked if anyone had questions. There were no questions regarding the Work Plan.

Contracts to Award

Learning Management System – Kerrigan explained the procurement process for the Learning Management System (LMS) including the Request for proposals (RFP), review process, General Counsel legal review of contract, potential funding from RTAP grant and said the three-year cost for the contract is \$112,010.67. Christianson explained she had signed the contract not intentionally but by only thinking about the yearly cost, which is under her authority, seeing how this is a three-year contract; however, she is seeking retroactive authority to sign the contract as of August 9, 2021. Committee Members asked how Members will contribute to the costs. Kerrigan explained there are two options for cost either all Members opt in or those who use the LMS will share in the cost. As we get closer to implementation, we will seek volunteers to test, and reminded everyone this is a strategic plan goal with the first-year recommendation of 10 percent of Members using the LMS, increasing incrementally to 25 and 50 percent of Members using the LMS by 2023. Some Members already have LMS's, and we will reach out to them to see how they are using their LMS. Beardsley said they use theirs to push out policies to employees and no one has to manually track as the system keeps track for them. **Beardsley moved to extend purchasing authority to the Executive Director for a three-year contract for a learning management system provided by Absorb LMS retroactive to August 9, 2021 (WSTIP Contract #C2021-10). Deutsch seconded the motion and the motion passed.**

Janitorial Services Contract – Christianson said the Janitorial Services went out for RFP. Six proposals were received. General Counsel legal review was completed, and we are requesting authority to sign a four-year contract with three one-year extensions with Coastal Custodial. She explained the length of the contract makes it potentially above her signing authority limit and therefore requests the Executive Committee extend authority to the Executive Director to sign the contract. Liard asked about the lease of the building. Christianson explained that WSTIP owns the building and that the contract has a 30-day cancellation for convenience. **Kinney moved to extend purchasing authority to the Executive Director for a four-year contract (allowing for three one-year extensions) for janitorial services by Coastal Custodial (WSTIP Contract #C2022-01). Deutsch seconded the motion and the motion passed.**

Governance Policy: Purchasing Policy

Kinney said the Governance Policy Committee (GPC) met and reviewed the comments from the June Board meeting regarding the Purchasing Policy. Comments were incorporated and the policy is being presented for approval to the Executive Committee. **George moved to approve the Purchasing Policy. Shipman seconded the motion and the motion passed.** Shipman said Waltari was thankful the Committee took her comments into consideration. Christianson thanked Waltari for her assistance with the policy, Rogers concurred saying the more eyes the better.

2022 General & Administrative Budget

Branson gave an overview of the draft 2022 general and administrative budget, he reminded attendees

that the WSTIP Budget consists of three main components, the Loss fund (set by the actuary), insurance costs, and the General and Administrative Budget. Staff are proposing a flat General and Administrative budget as there are cost savings in some areas and increased expenses in others. The proposed budget incorporated the results of the Compensation and Benefits Survey, funding for the Technology Grant, and IT savings. Branson and Christianson fielded questions from attendees. The consensus of the EC was the proposed 2022 General and Administrative budget was acceptable and can be moved on to the Board in September.

Compensation and Benefits Survey

Christianson said at the meeting last month the EC accepted the compensation and benefits study but the final piece accepting the salary placement is pending further information. Branson explained the salary placement impacts to the budget piece by piece ([click here](#) to view the video on this topic). Christianson and Branson fielded questions regarding the salary placement, step increases, cost of living adjustment (COLA), retirement and benefits, how the structure was developed, and vacant positions. ***Shipman moved to accept the salary placement as presented. Heston seconded the motion and the motion passed.***

The Executive Committee took a short break at 10:21 am and resumed their meeting at 10:32 am.

Law Enforcement and Security Liability Risks

Beardsley said the Coverage Review Committee had been discussing Law Enforcement and Security Liability Risks as we have some Members who contract with law enforcement and some who have law enforcement in house. As a committee we are recommending watching the use and encouraging Members to have WSTIP review all contracts to ensure risk transfer. We are not proposing any changes to the Coverage Documents at this time and the CRC will continue to monitor the topic. There were no questions for Beardsley or Adams.

Best Practice: Vanpool Operations

Kerrigan said the Vanpool Best Practices had been updated, included in the packet are background materials including a summary of the updates, as well as the complete Best Practice. Proposed revisions were shared with the vanpool coordinators and Staff incorporated their feedback. As a note the EC does not need to accept these as the process is for them to be written/revised, reviewed by the Executive Director, presented to the Executive Committee, and then sent out to the Members. If there are questions regarding Best Practices, please reach out to Kerrigan.

Strategic Plan Update

Kerrigan updated the EC on Strategic Plan Items 4a, 4b, and 5a. ([Click here](#) to view Strategic Plan).

4a – Technology Grant – this goal is not being met, Staff are advertising the grant availability, updating the white paper, and funding included in the 2022 budget for additional Members to adopt technology for loss prevention. There is \$409,297 available for 2021.

4b – Adopt Technological Solutions – 21 out of 25 Members have adopted technological solutions to mitigate cyber liability risks, staff are working with the remaining four, noting there are network security grants available. Staff are also working to partner with vendors to assist with the Best Practice in the Technology Environment implementation.

5a – Procure Learning Management System – The LMS has been procured, development will begin as will solicitation for volunteers. Staff will report on the Strategic Plan Items again in December.

Executive Session

At 10:44, the Executive Committee went into a 20-minute Executive Session to discuss an upcoming trial

with Defense Counsel; pursuant to RCW 42.30.110 (1) (i) to discuss with legal counsel representing the agency litigation in which a member acting in an official capacity is a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. 2. Or another permitted purpose for Executive Session pursuant to RCW 42.31.110 (1). The committee came out of Executive Session at 11:04 am. ***Deutsch moved to authorize Staffs requested settlement amount in the Hoksbergen vs WTA matter. Heston seconded the motion and the motion passed. Shipman abstained from the vote. Lee left the meeting at 11:06 am.***

Staff Reports

Executive Staff Report

Christianson said she recently had a Member ask if WSTIP has an age limit for bus operators. She reminded everyone that while WSTIP does not have an age requirement, the Auto-Physical Damage excess policy requires drivers to be 20 years of age or older. If Members are hiring drivers who are under the age of 20, we may need to ask the carrier to reduce their age requirement or assign them to vehicles valued under \$250,000. She will email the information out to the Board as a reminder. She noted the renewal quote from Munich Re had arrived at an eight percent increase over the expiring cost so she will bind once the broker has reviewed the language changes. Joe Peppelman from Munich Re will be at the September Board meeting but she wanted to let the EC know the good news. The Underground Storage Tank (UST) policy renewal has also arrived, and the renewal is flat so that is more good news. Staff are working to secure quotes from Government Entities Mutual, Inc. (GEM), thanking everyone for returning their estimated 2022 miles and employee counts. Tracey welcomed new Board Members Jim Seeks and Amy Asher and noted she completed one-on-one visits with them.

Branson happily reported the the 2020 financial audit had been completed with no findings. He is looking at the estimated 2022 miles and employee counts and stated there is a slight increase despite challenges in hiring. He gave a brief update on Driver Record Monitoring (DRM) trial of premium service saying all but two Members have responded. The premium service is turned on for those who chose to participate in the trial. The DRM RFP is on the WSTIP website, we will request that Members participate in the product demonstrations. Christianson added that there is also an RFP on the website for landscape services.

Kerrigan reminded everyone Risk Management, Network Security and Technology Grants are available and if they have questions to reach out to her. Member Service visits are occurring, training is happening both in person and virtually, and the Origami office hour is still available every Wednesday. Adams gave an update on open and recently closed claims, subrogation, and open litigated claims. He also noted that staff will be turning on the Multi-Factor Authentication (MFA) feature within Origami on or before October 4, 2021.

Sub-Committee Reports

Governance Policy Committee (GPC)

Kinney reported the GPC had met to work on the Purchasing Policy which wraps up their work for the year.

Board Development Committee (BDC)

The BDC met after the July EC meeting on July 22, discussed the June Board meeting feedback survey, talked about upcoming conferences in 2022, and will be setting topics for the September Member Representative meetings.

Risks and Opportunities Committee (ROC)

No report, the next meeting is September 9.

Coverage Review Committee (CRC)

Beardsley said the CRC met in July, discussed law enforcement and security liability risks, reviewed the Coverage Documents, two topics still open for discussion are the right to seek reimbursement when there is a duty to defend (doesn't happen often), and transferring subrogation rights to the Pool. Also discussed, privately owned vehicles (POV) use and whether WSTIP is primary or secondary coverage, contact Adams if you would like sample language. The committee also encourages Members to have WSTIP Staff review all contracts. The CRC plans to meet again in September to review the General Liability and Public Officials Liability Coverage Documents for presentation to the EC in October.

Recap and Adjournment

Rogers thanked the Committee chairs for their reports, she reiterated that the September Board meeting will be hybrid, if you are wishing to change your participation from in-person to virtual or virtual to in-person please let Broadhead know as soon as possible, noting that masks will be required regardless of vaccination status. She quickly recapped the meeting, roll call, accepted the agenda, approved the consent agenda, reviewed the work plan, noting the size criteria for election will be at the next meeting, awarded two contracts, approved the Purchasing policy which concludes the GPC work for the year. We reviewed the proposed 2022 general and administrative budget, finalized the compensation and benefits survey, the CRC updated us on the law enforcement and security liability risks, please send contracts to WSTIP for review before signing. Kerrigan reported the status of Strategic Plan Items, shared the Best Practice for Vanpool Operations, and will distribute it to Members soon. The EC also received updates from staff and sub-committees.

Shipman moved to adjourn the meeting at 11:38 am. George seconded the motion and the motion passed.

Submitted this 23rd day of September 2021.

Approved: 
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Scott Deutsch, Secretary