
AC Transit

Policy No. 110

BOARD POLICY

**Subject Category: Board & General
Administrative Matters**

CLAIMS AND LAWSUITS

SMALL CLAIMS REPRESENTATIVES

ADOPTED BY RESOLUTION NO. 745 - DECEMBER 12, 1990

ATTACHED

Adopted: 9/28/88

Amendment(s): 12/12/90

RESOLUTION NO. 745

RESOLUTION AUTHORIZING AND EMPOWERING THE GENERAL MANAGER TO APPOINT AN AGENT TO INSTITUTE, PROSECUTE AND DEFEND SMALL CLAIMS ON BEHALF OF THE DISTRICT.

WHEREAS, it is necessary for ALAMEDA-CONTRA COSTA TRANSIT DISTRICT to appoint and empower the General Manager to appoint an agent, other than an attorney to institute, prosecute, and defend claims in the Small Claims Courts of the:

Municipal Court of the City of Alameda Judicial District, County of Alameda, State of California;

Municipal Court of the Berkeley-Albany Judicial District, County of Alameda, State of California;

Municipal Court of the Delta-Pittsburg Judicial District, County of Contra Costa, State of California;

Justice Court of the El Cerrito-Kensington Judicial District, County of Contra Costa, State of California;

Municipal Court of the Fremont-Newark Judicial District, County of Alameda, State of California;

Municipal Court of the Hayward-San Leandro Judicial District, County of Alameda, State of California;

Municipal Court of the Livermore Judicial District, County of Alameda, State of California;

Municipal Court of the Mt. Diablo Judicial District, County of Contra Costa, State of California;

Municipal Court of the Oakland-Piedmont Judicial District, County of Alameda, State of California;

Justice of the Pinole-Hercules-Rodeo Judicial District, County of Contra Costa, State of California;

Municipal Court of the City of Richmond Judicial District, State of California;

Municipal Court of the City and County of San Francisco Judicial District, State of California;

Municipal Court of the City of San Pablo Judicial District, county of Contra Costa, State of California;

Municipal Court of the Walnut Creek-Danville Judicial District, County of Contra Costa, State of California;

and to provide each said Court with formal evidence of such appointment; and


WHEREAS, Liability Claims Supervisor, Claims Representatives, Workers' Compensation Supervisor, Third Party Administrator for Claims and Acting Representatives for these positions, for said ALAMEDA-CONTRA COSTA TRANSIT DISTRICT, are fit and proper persons to be appointed as said agents;

NOW, THEREFORE, BE IT RESOLVED that ALAMEDA-CONTRA COSTA TRANSIT DISTRICT hereby authorizes and empowers the General Manager to appoint the said agents (or an alternated who may from time to time be appointed in writing by the General Manager) as its agents, to institute, prosecute and defend small claims on behalf of said DISTRICT and against said DISTRICT in the above-named Courts, and for such purpose the said appointees are authorized and empowered to enter into any and all stipulations, appearances and agreements as are necessary for the effective prosecution and defense of such claims; and are further authorized and empowered to accept service of process issued by said Courts, for and on behalf of said public entity; and

BE IT FURTHER RESOLVED that said agents or alternate, shall receive no compensation as a result of this authorization and shall have no power to represent the DISTRICT in any matter not authorized by the limited authority contained in this resolution, and

BE IT FURTHER RESOLVED THAT Resolution No. 675 and all other resolutions and motions that conflict herewith are hereby repealed.

PASSED AND ADOPTED THIS 12TH day of December, 1990.

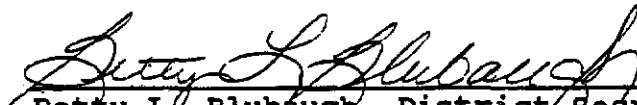

Ruth Ganong, President

Attest:

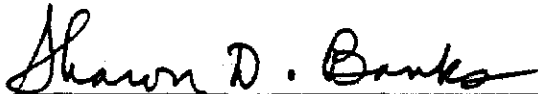

Betty L. Blubaugh, District Secretary

I, Betty L. Blubaugh, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a Regular Meeting of the Board of Directors held on the 12th day of December, 1990, by the following roll call vote:

AYES: DIRECTORS: WOODBURY, WINTER, BISCHOFBERGER, CREASON
NAKADEGAWA, PIRAS, GANONG
NOES: DIRECTORS: NONE
ABSENT: DIRECTORS: NONE
ABSTAIN: DIRECTORS: NONE


Betty L. Blubaugh, District Secretary

APPROVED AS TO FORM:


Sharon D. Banks, General Counsel