

**MINUTES OF THE
MBASIA BOARD OF DIRECTORS MEETING**

Monday, January 28, 2019 at 9:30 AM

**City Hall Council Chambers
1 Pendergrass Way
Sand City, CA 93955**

MEMBERS PRESENT

Jamie Goldstein, City of Capitola
Dino Pick, City of Del Rey Oaks
Rene Mendez, City of Gonzales
Paul Wood, City of Greenfield
Brett Miller, City of Hollister
Layne Long, City of Marina
Linda Scholink, City of Sand City
Tony McFarlane, City of Scotts Valley Alternate
Michael McHatten, City of Soledad

MEMBERS ABSENT

Steve Adams, City of King City

GUESTS & CONSULTANTS

Nina Aguayo, City of Greenfield Alternate
Francine Uy, City of Soledad Alternate
Lynn Cavalcanti, AIMS
Ken Maiolini, Risk Management Services (*joined via teleconference at 10:15 AM and left at 10:25 AM*)
Conor Boughey, Alliant Insurance Services
Lorissa Huey, Alliant Insurance Services

A. CALL TO ORDER

Jamie Goldstein called the meeting to order at 9:31 AM.

B. CONSENT CALENDAR

B1. Approval of Minutes – November 30, 2018 Board of Directors Meeting

B2. Service Calendar & Status of Deliverables

B3. Bills and Correspondence

B3a. Ratification of Disbursements

B4. Evidence of Coverage and Disclosure

A motion was made to approve the consent calendar

MOTION: Linda Scholink **SECOND:** Dino Pick

MOTION CARRIED

	Jamie Goldstein	Dino Pick	Rene Mendez	Paul Wood	Brett Miller	Steve Adams	Layne Long	Linda Scholink	Tony McFarlane	Michael McHatten
Aye	X	X	X	X	X		X	X	X	X
Nay										
Abstain										

C. ORAL COMMUNICATIONS & PUBLIC COMMENTS

There were no public comments.

D. BOARD OF DIRECTORS

D1. COMMITTEE REPORTS

D1a. Executive and Finance Committee

D1a1. Budget Planning Process

Conor Boughey noted that the Executive and Finance Committee will be starting the budget process for the July 1, 2019 renewal and a draft will be available at the April 2019 Board Meeting.

The Committee meets once in person for the first meeting in March which is followed by one or two teleconferences.

No reportable action took place.

D1b. Safety Committee

D1b1. Safety Grant Funds – Request Status and Budget to Date

Conor Boughey reported that that the Grant Program is in place, and it allows Member Agencies to request up to \$7,500 to use towards risk control efforts. Conor reminded the Board to make their requests prior to May 1st, at which time the remaining funds can be requested by another Member, and to utilize the Safety Grant Request Form attached in the agenda packet when submitting the request.

No action was taken, this is an information item.

D1c. Coverage and Claims Committee – None.

D2. EXCESS RISK POOL REPRESENTATIVE REPORTS

D2a. Report from CARMA Long Range Planning & Board of Directors Meeting

Conor Boughey and Rene Mendez, CARMA's Primary Representative, provided an update from the CARMA Long Range Planning & Board of Directors Meeting. They reported that CARMA, which provides excess liability limits to 5 pools is well funded and is looking into making dividend payments to the underlying Members.

D3a. Report from ERMA Board of Directors Meeting

Brett Miller, ERMA's Primary Representative provided an update from the ERMA Board of Directors Meeting. He stated that there are new Members and the Long Range Planning will be held the following week.

D3. UNFINISHED BUSINESS

D3a. Report from Long Range Planning

Conor Boughey updated the Board on the items discussed from the November 29, 2018 Long Range Planning, which the Board took action during the November 30, 2018 Board Meeting held the following day.

Firstly, the City of Del Rey Oaks Police Department has expanded their services to the Monterey Airport effective October 1, 2018. At the November 30, 2018 Board Meeting, the Board took action to charge the City additional premium based on the formula without the cap increased payroll calculation. Since then, MBASIA has received the additional premium payment.

Secondly, during the Long Range Planning, the Board had a lengthy discussion between the difference of the Alliant Property Insurance Program (APIP) and Alliant Motor Vehicle Program (AMVP). At the November 30, 2018 Board Meeting, the Board made a motion to prohibit Members from insuring their autos through APIP and to continue insuring the autos through AMVP. The Program Administrators sent out an email to the Board reminding the Board that they can schedule mobile/contractors equipment on either APIP or AMVP and what is needed for each program.

Lastly, the next Police Risk Management Committee Meeting is on Monday, April 8, 2019 at 11:30 AM held at the Alliant Salinas Office. The Board suggested that Vince Hurley attend the meeting to discuss SB 1421 Peace Officers: Release of Records, which allows public access to police records in cases of force.

D3b. Excess Workers’ Compensation Renewal

Conor Boughey noted that the Version 2 CSAC EIA renewal estimate as of December 2018 is included in the agenda packet. MBASIA is a member of CSAC EIA’s Excess Workers’ Compensation program with a \$250,000 Self Insured Retention. The next estimate, Version 3 will be provided at the April 2019 Board Meeting.

No action was taken, this is an information item.

D4. NEW BUSINESS

D4a. MBASIA Election of Officers and Excess Pool Representative Appointments

Conor Boughey reminded the Board that MBASIA’s Officers serve two year terms, and elections take place during the first meeting of each odd calendar year and the positions take effect immediately. Also, for the Excess Pools, CARMA and ERMA, the President and Executive Committee can choose to appoint new representatives.

A motion was made to approve the same slate of officers as last year which is, Jamie Goldstein as Chairperson, Layne Long as Vice Chairperson, Brett Miller as Secretary/Treasurer, and Rene Mendez as Past Chairperson.

Also, to keep Rene Mendez as CARMA’s Primary Board Member and appoint Layne Long as the Alternate; and keep Brett Miller as ERMA’s Primary Board Member and appoint Dino Pick as the Alternate.

MOTION: Brett Miller

SECOND: Layne Long

MOTION CARRIED

	Jamie Goldstein	Dino Pick	Rene Mendez	Paul Wood	Brett Miller	Steve Adams	Layne Long	Linda Scholink	Tony McFarlane	Michael McHatten
Aye	X	X	X	X	X		X	X	X	X
Nay										
Abstain										

D4b. CSAC EIA: Excess Workers Compensation Coverage Item: Off-Duty Peace Officer Injury (AB 1749) Endorsement

Conor Boughey reported that CSAC EIA has drafted an endorsement to the Excess Workers' Compensation (EWC) Memorandum of Coverage (MOC). The endorsement provides that the EWC MOC does not currently provide coverage for injuries that occur to off-duty peace officers while outside the State of California when the officer is not acting under the immediate direction of his or her employer unless: (1) The peace officer was engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or in protection or preservation of life or property, or the preservation of the peace; and (2) Prior to the occurrence, the Governing Board of the member has adopted a resolution, as provided for in California Labor Code Section 3600.2, subdivision (b)(4), accepting liability for such injury.

The endorsement will provide coverage for such claims if the Member has adopted a resolution describing the circumstances under which the Member will accept liability for such claims. The Member does not need to provide the resolution to the EIA upon adoption. Instead, if a claim arises that the Member chooses to accept pursuant to its resolution, then the Member at that time will provide the EIA with a copy of the resolution. If approved by the EIA Board, the endorsement will be in effect for any claims that arise after the date the endorsement is approved by the EIA's Board of Directors.

D4c. Liebert Cassidy Whitmore Employment Relations Consortium 2019 Agreement

Conor Boughey reported that the contract for the Liebert Cassidy Monterey Bay Area Employment Relations Consortium is up for renewal. The Cities of Capitola, Greenfield, Hollister, Marina, Sand City and Soledad are members of the Liebert Cassidy Employment Relations Consortium and have direct access to their representatives.

A motion was made to approve the 2019 Liebert Cassidy Whitmore Employment Relations Consortium agreement.

MOTION: Rene Mendez **SECOND:** Tony McFarlane **MOTION CARRIED**

	Jamie Goldstein	Dino Pick	Rene Mendez	Paul Wood	Brett Miller	Steve Adams	Layne Long	Linda Scholink	Tony McFarlane	Francine Uy
Aye	X	X	X	X	X	X	X	X	X	X
Nay										
Abstain										

D5. LOSS REPORT

D5a. Workers’ Compensation Administrator’s Report

D5b. Liability Third Party Administrator’s Report

A motion was made to enter into Closed Session at 10:15 AM.

MOTION: Rene Mendez **SECOND:** Tony McFarlane **MOTION CARRIED**

	Jamie Goldstein	Dino Pick	Rene Mendez	Paul Wood	Brett Miller	Steve Adams	Layne Long	Linda Scholink	Tony McFarlane	Michael McHatten
Aye	X	X	X	X	X		X	X	X	X
Nay										
Abstain										

A motion was made to come out of Closed Session at 10:35 AM.

MOTION: Dino Pick **SECOND:** Brett Miller **MOTION CARRIED**

	Jamie Goldstein	Dino Pick	Rene Mendez	Paul Wood	Brett Miller	Steve Adams	Layne Long	Linda Scholink	Tony McFarlane	Michael McHatten
Aye	X	X	X	X	X		X	X	X	X
Nay										
Abstain										

Jamie Goldstein reported out of Closed Session that direction was provided to the Liability and Workers Compensation Claims Administrators.

E. PROGRAM ADMINISTRATORS’ REPORT

E1. MBASIA Exposures and Coverages Review

Conor Boughey reminded the Board that at each meeting, Alliant will provide a brief summary of the different coverages provided to each Member Agency. At today’s meeting, Conor discussed claims reporting for ERMA, which is MBASIA’s excess employment practices coverage provider.

Members asked questions which were addressed. The takeaway is to always report claims to Risk Management Services, MBASIA’s Liability Third Party Administrator as soon as possible.

E2. Quick Coverage Review

Conor Boughey stated that included in the agenda packet is a chart that shows a brief summary of the coverage provided by MBASIA to the Member Agencies. All member cities of MBASIA are part of the 3 major program coverages for MBASIA which are: CARMA (California Affiliated Risk Management Authorities) for Liability; ERMA (Employment Risk Management Authority) for Employment Practices Liability; and CSAC-EIA (California State Association of Counties – Excess Insurance Authority) for Excess Workers' Compensation.

F. CORRESPONDENCE / INFORMATION

F1. Next Two Board Meetings & ERMA Training Schedule

The next two Board Meetings will be held on Monday, April 8, 2019 in Salinas, and Monday, June 17, 2019 in Sand City. The meeting in Salinas will be held at the Alliant Salinas Office (150 Main St #220).

F2. PARMA Conference Information – No discussion on this item.

G. GENERAL RISK MANAGEMENT ISSUES

There were no General Risk Management Issues.

ADJOURNMENT

Jamie Goldstein adjourned the meeting at 10:50 AM.