

## **MBASIA Board of Directors Meeting**

**Monday, June 10, 2024 at 9:30 AM**

### **LOCATION:**

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

#### **MEMBERS PRESENT**

Jamie Goldstein, City of Capitola  
John Guertin, City of Del Rey Oaks (left at 12:35 PM)  
Paul Wood, City of Greenfield  
David Mirrione, City of Hollister  
Layne Long, City of Marina  
Vibeke Norgaard, City of Sand City  
Mali LaGoe, City of Scotts Valley  
Francine Uy, City of Soledad Alternate

#### **MEMBERS ABSENT**

Carmen Gil, City of Gonzales  
Steve Adams, City of King City

#### **GUESTS & CONSULTANTS**

Dustin Lopez, City of Scotts Valley Intern (left at 11:58 AM)  
Nina Aguayo, City of Greenfield Alternate  
Neil Callahan, George Hills Company  
Lynn Cavalcanti, AIMS  
Conor Boughey, Alliant Insurance Services  
Lorissa Huey, Alliant Insurance Services

#### **A. CALL TO ORDER**

Jamie Goldstein called the meeting to order at 9:35 AM.

#### **B. ORAL COMMUNICATIONS & PUBLIC COMMENTS**

There were no oral communications and public comments.

#### **C. CONSENT CALENDAR**

**C1. Approval of Minutes – April 8, 2024 Board of Directors Meeting**

**C2. Service Calendar & Status of Deliverables**

**C3a-c. Bills and Correspondence**

- C4. James Marta & Company CPAs Engagement Letter 2024**
- C5. LAWCX MBASIA Workers’ Compensation Claims Audit**
- C6. Precision Concrete Cutting 2024 Contract Renewal**
- C7. Contract Annual Fee Escalator**
- C7i. George Hills Liability Claims Administrators Contract**
- C7ii. Alliant Program Administrators and Broker’s Contract**

A motion was made to approve the consent calendar.

**MOTION:** Layne Long **SECOND:** Paul Wood **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**D. GENERAL RISK MANAGEMENT ISSUES**

There were no general risk management issues.

**E. BOARD OF DIRECTORS**

**E1. COMMITTEE REPORTS**

**E1a. Executive and Finance Committee**

**E1ai. Excess Liability Coverage Options**

Conor Boughey reminded the Board that it took action at the November 2023 Board Meeting to give notice to withdraw from CARMA effective June 30, 2024. Alliant has been working with PRISM to present an option and the premium was higher than CARMA’s renewal premium.

This item was discussed at the April 2024 Board Meeting and the Board assigned the Executive

Committee to review the proposed terms from PRISM. The Executive Committee took action at its May 21, 2024 Meeting to recommend to the Board to rescind its Notice to Withdraw with CARMA on June 30, 2024.

A motion was made to accept the Executive Committee’s recommendation and send a Rescind Notice of Withdrawal Letter to CARMA.

**MOTION:** Paul Wood **SECOND:** David Mirrione **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E1b. Safety Committee**

**E1bi. Sedgwick Loss Control Contract for Driver and Fleet Safety Program and Vehicle Use Policy**

Conor Boughey reported that at the April 2024 Board Meeting, direction was given to Alliant to seek a loss control specialist to develop a Driver and Fleet Safety Program and Vehicle Use Policy. Alliant obtained a proposal from Sedgwick’s Loss Control team and Byrne Conley, MBASIA’s Legal Counsel proposed suggested changes to the indemnification language.

As of today, Alliant sent back to the changes to Sedgwick who is still in the process of reviewing.

A motion was made to accept the changes by Byrne or if Sedgwick makes further changes, accept the changes only if Byrne agrees.

**MOTION:** Vibeke Norgaard **SECOND:** John Guertin **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E1c. Coverage and Claims Committee**

**E1ci. None**

**E2. UNFINISHED BUSINESS**

**E2a. Property Program Renewal and Related Coverages Renewal**

**E2a1. Property Proposal**

**E2a2. Pollution Proposal**

**E2a3. APIP Cyber and Excess Cyber Proposals**

**E2a4. APIP Claims Reporting Acknowledgements**

Conor Boughey stated that MBASIA has a group purchase property program through APIP that will renew on July 1, 2024. APIP includes pollution and cyber. In addition, MBASIA purchases excess cyber with a \$2,000,000 each Member Aggregate and \$3,000,000 Policy Aggregate.

This year the excess cyber carriers provided Option 1 at \$2,000,000 each Member Aggregate /\$3,000,000 Policy Aggregate and Option 2 at \$2,000,000 each Member Aggregate /\$5,000,000 Policy Aggregate, and four BBR Options.

Lorissa Huey mentioned that the Program Administrators provided each Member a printed copy of the APIP the Claims Reporting Forms for Property, Cyber, Pollution and the APIP Claims Reporting Acknowledgement Receipt form. She reminded the Members to provide these to their Department Heads. The APIP Claims Reporting Acknowledgement Receipt form was signed by each Member and collected by Alliant.

A motion was made to bind coverage for the APIP Property, Pollution, and Cyber as presented, and Option 1 for the Excess Cyber and declined the BBR options.

**MOTION:** Paul Wood **SECOND:** Mali LaGoe **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

## **E2b. CARMA Program Renewal**

Conor Boughey reported that CARMA's budget shown in the agenda packet the discount rate increased from 2% to 3% and CARMA is continuing to fund at the 80% Confidence Level. The Ex-Mod decreased from 1.157 to 1.038. The CARMA premium is included in the MBASIA Liability Budget.

No reportable action took place since MBASIA is a member of CARMA, the renewal will be automatic.

## **E2c. ERMA Program Renewal & Training Compliance Survey**

Lorissa Huey reported that ERMA's budget has a 6.3% premium increase from last year's premium due to the ex-mod decreasing at 1.232% from 1.25% the prior year, and payroll increasing by 10%.

No reportable action took place since MBASIA is a member of ERMA, the renewal will be automatic.

She also announced that all Members except the City of Capitola have completed the ERMA Training Compliance Survey for FY 23-24.

## **E2d. Excess Workers' Compensation Renewal**

Lorissa Huey reported that Excess Workers' Compensation premium in the version 2 estimate is \$1,225,000, that includes a \$58,998 payroll audit due to the prior year's payroll being underreported.

No reportable action took place since MBASIA is a member of PRISM, the renewal will be automatic.

## **E2e. PRISM Excess Workers' Compensation - Memorandum of Coverage (MOC) Proposed Amendments**

MBASIA purchases Excess Worker's Compensation coverage through PRISM. PRISM is proposing amendments to the MOC. The Definition of Occurrence was amended via an Amendatory Endorsement U-5 to the EWC MOC for the 23/24 fiscal year policies to further clarify the occurrence period for a single event resulting in multiple claims. The amendatory language provides parameters surrounding this type of scenario, including setting time limits on the occurrence period versus leaving it open ended.

**E2f. MBASIA Board’s Miscellaneous Insurance Renewals:**

**E2fi. E&O (APPL) Proposal**

Lorissa Huey reported that the Pool Trustee’s Errors & Omissions Policy through the Alliant Public Pool Liability (APPL) Program renews July 1, 2024. This coverage is for defense cost for any decision that the Board makes. For example, if the Board denied a claim because of late reporting or interrupting the Memorandum of Coverage and the Board made an error or omission, this policy will defend the Board against the Member’s allegations.

The renewal premium is flat.

A motion was made to bind coverage as presented.

**MOTION:** Paul Wood **SECOND:** David Mirrione **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E2fii. Crime (ACIP) Proposal**

Lorissa Huey reported that the Crime Policy through the Alliant Crime Insurance Program (ACIP) renews July 1, 2024. This coverage is for if Members falsify invoices that MBASIA pays.

A motion was made to bind coverage as presented.

**MOTION:** Mali LaGoe **SECOND:** Vibeke Norgaard **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E2fiii. AD&D (VIP) Proposal**

Lorissa Huey reported that MBASIA’s AD&D policy through the Volunteer Insurance Program (VIP) renews July 1, 2024. Alliant collected updated volunteer counts from each Member to report accurate exposures to the carrier.

A motion was made to bind coverage as presented.

**MOTION:** David Mirrione **SECOND:** Mali LaGoe **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E2g. Final 24-25 Liability Budget**

Conor Boughey stated that the Executive Committee (EC) met on May 21, 2024 to review the budget prior to the Board’s adoption at the June Board Meeting. Since the April 2024 Board Meeting, in the FY 24-25 proposed budget, the CARMA and ERMA premiums were updated.

Lorissa Huey reported that the EC made a recommendation to the board to approve the Liability Budget as final.

A motion was made to accept the EC’s recommendation.

**MOTION:** John Guertin **SECOND:** Jamie Goldstein **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E2h. Final 24-25 Workers’ Compensation Budget**

Conor Boughey stated that the Executive Committee (EC) met on May 21, 2024 to review the budget prior to the Board’s adoption at the June Board Meeting. Also, the Board agreed to start using a 7 year claims history from a 4 year claims history starting in 22-23, this is the last year of adding another year.

A motion was made to accept the EC’s recommendation.

**MOTION:** Mali LaGoe **SECOND:** Layne Long **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**E3. NEW BUSINESS**

**E3a. 2024-25 Program Year Calendar of Meetings**

A motion was made to approve the meeting calendar.

**MOTION:** Layne Long **SECOND:** Paul Wood **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										



### E3b. Conflict of Interest – Biennial Review

Lorissa Huey stated that MBASIA is required by the Fair Political Practices Commission (FPPC), as the code reviewing body for multi-county agencies to submit a Conflict-of-Interest Code Biennial Notice.

A motion was made to approve the submission of the Biennial Notice indicating no changes needed.

**MOTION:** David Mirrione **SECOND:** John Guertin

**MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

### E3c. 2024-25 Excess Pool Representatives and Committee Assignments

Lorissa Huey announced that at the June Board Meeting each year, the Board assigns the Coverage & Claims Committee, Safety Committee and the ERMA and CARMA representatives the following Program Year.

A motion was made approve the assignments as follows.

2024 -2025
<b>COVERAGE &amp; CLAIMS COMMITTEE:</b>
<i>(1 year term-elections are held annually at June meetings)</i>
<i>Per bylaws Chairperson will act as Committee Chair; Excess Coverage Representative is an automatic member</i>
Jamie Goldstein – Committee Chair
Paul Wood ( <i>Excess Coverage Representative</i> )
Layne Long ( <i>Excess Coverage Representative</i> )
Steve Adams
<b>SAFETY COMMITTEE:</b>
<i>(1 year term-elections are held annually at June meetings)</i>
<i>Per bylaws Vice Chairperson will act as Committee Chair</i>
Paul Wood – Committee Chair
Layne Long
Carmen Gil

<b>CARMA:</b>
Layne Long – Representative
Vibeke Norgaard - Alternate
<b>ERMA:</b>
Paul Wood – Representative
Steve Adams - Alternate

**MOTION:** Layne Long **SECOND:** Vibeke Norgaard **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

**F. PROGRAM ADMINISTRATOR’S REPORT**

**F1. MBASIA Strategic Planning and Agenda Discussion**

Lorissa Huey announced that the Strategic Planning will be held on November 7, 2024. The meeting location might be in the City of Marina if hotel prices are feasible. If they are not, the Board would like the Program Administrators to find hotels in Santa Cruz.

Members requested to add Benchmark Analytics, EPL claims trends, and Ex-MOD for premiums.

If there are any topics the Board would like to add to the list that was included in the agenda packet to reach out to the Program Administrators.

**F2. MBASIA Exposures and Coverages Review: Ransomware**

Conor Boughey reported that at each meeting, Alliant provides to the Board a summary of a different line of coverage. Today, Conor discussed with the Board ransomware. Included in the agenda packet were many resources available.

Members asked questions which were discussed. The Board wants to receive an email about the CYGNVS services.

**G. LOSS REPORT**

**CLOSED SESSION – Pursuant to Gov’t Code 54956.95**

**Ga. Workers’ Compensation Administrator’s Report**

**Gb. Liability Third Party Administrator’s Report**

A motion was made to enter into Closed Session at 11:58 AM.

**MOTION:** Mali LaGoe **SECOND:** Paul Wood **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X	X		X	X		X	X	X	X
Nay										
Abstain										

A motion was made to come out of Closed Session at 12:40 PM.

**MOTION:** David Mirrione **SECOND:** Vibeke Norgaard **MOTION CARRIED**

	Jamie Goldstein	John Guertin	Carmen Gil	Paul Wood	David Mirrione	Steve Adams	Layne Long	Vibeke Norgaard	Mali LaGoe	Francine Uy
Aye	X			X	X		X	X	X	X
Nay										
Abstain										

**RECONVENE – DISPOSITION OF CLOSED SESSION ITEMS**

Conor Boughey reported out of closed session that no reportable action took place.

**H. CORRESPONDENCE / INFORMATION**

**H1. IRIC Training: Parks & Recreations [Date] Flyer**

Conor Boughey requested that the Board Members pass the flyer onto their Parks & Recreations Department to join the IRIC training in Summer 2024.

**H2. Next Board Meeting & ERMA Training Schedule**

The next Board Meeting will be held on November 8, 2024 from 8:30 AM to Noon in the Monterey Area. The prior day, November 7, 2024 will be the Strategic Planning from 9:30 AM to 4 PM.

The agenda packet contained a weblink to the ERMA training schedule.

**H3. 2024 CAJPA Conference Preliminary Agenda** – There was no discussion on this item.

**H4. 2025 PARMA Conference** – There was no discussion on this item.

**H5. MBASIA Service Team Contact List & Claims Reporting** – There was no discussion on this item.

**H6. MBASIA Schedule of Service Agreements** – There was no discussion on this item.

**ADJOURNMENT**

Jamie Goldstein adjourned the meeting at 12:45 PM.