



**CALIFORNIA JOINT POWERS RISK MANAGEMENT AUTHORITY**

**BOARD OF DIRECTORS MEETING**

**November 20, 2003 – 9:35 A.M.**

**Hiddenbrooke Golf Club  
1095 Hiddenbrooke Parkway  
Vallejo, CA 94591**

**(707) 558-0330**

**Minutes**

**I. CALL TO ORDER:**

Vice President Wildermuth called the meeting to order at 9:40 a.m.

**II. ROLL CALL**

***PRESENT***

- |                                   |   |
|-----------------------------------|---|
| 1) Darrell Handy, <i>Alameda</i>  | 12) Pam Durocher, <i>Roseville</i>      |
| 2) Bob Koch, <i>Chico</i>         | 13) Mary Richardson, <i>San Leandro</i> |
| 3) Robyn Kain, <i>Fairfield</i>   | 14) Sharon Andrus, <i>San Rafael</i>    |
| 4) Patricia Born, <i>Fremont</i>  | 15) Bill Kaslar, <i>Santa Rosa</i>      |
| 5) Kirk Evans, <i>Lodi</i>        | 16) Roger Carroll, <i>SCORE</i>         |
| 6) Randy Graham, <i>NCCSIF</i>    | 17) John Hinson, <i>Stockton</i>        |
| 7) Scott Ellerbrock, <i>PERMA</i> | 18) Barbara Coats, <i>Sunnyvale</i>     |
| 8) Bill Thomas, <i>Petaluma</i>   | 19) Paul Wildermuth, <i>Vacaville</i>   |
| 9) Julie Theirl, <i>Pomona</i>    | 20) John Pomidor, <i>Vallejo</i>        |
| 10) Jeff Davis, <i>REMIF</i>      | 21) Jeff Tonks, <i>YCPARMIA</i>         |
| 11) Gail Crowley, <i>Redding</i>  |   |

***OTHERS PRESENT***

- |   |                                   |
|---|-----------------------------------|
| 1) David Clovis, <i>CJPRMA</i>              | 7) Craig Bowlus, <i>Marsh</i>     |
| 2) Lola Deem, <i>CJPRMA</i>                 | 8) Pat Clark, <i>Marsh</i>        |
| 3) Robert German, <i>CJPRMA</i>             | 9) Brian Cooney, <i>Marsh</i>     |
| 4) Caren White, <i>CJPRMA</i>               | 10) Ron Blanquie, <i>Petaluma</i> |
| 5) Mark McGonigle, <i>Driver-Alliant</i>    | 11) Shari Deutsch, <i>Vallejo</i> |
| 6) Sean Conley, <i>Gibbons &amp; Conley</i> |                                   |

### **III. APPROVAL OF MINUTES**

A motion by Director Handy, seconded by Director Born, to approve the minutes of the Board of Director's meeting held on September 18, 2003, passed unanimously.

### **IV. PRESENTATIONS**

Sean Conley, of Gibbons and Conley, was present to discuss how the McKinley case could affect pollution exclusions. The General Manager said that the intent of the Memorandum of Coverage was to provide as broad a level of coverage as possible. He said that he would take it to the Coverage Committee to clarify the issue.

### **V. CONSENT CALENDAR**

- 1. Financial Reports of CJPRMA for the periods ending July 31, August 31 and September 30, 2003**
- 2. Additional Covered Party Certificates Approved by the General Manager**
- 3. Notification of New Claims Received**
- 4. Notification of Claims Closed**

A motion by Director Kain, seconded by Director Born, to approve the consent calendar, passed unanimously.

### **VI. THIS TIME IS RESERVED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD OF DIRECTORS ON MATTERS OF BOARD BUSINESS**

### **VII. ACTION CALENDAR**

#### **5. Report From Broker**

Mr. Brian Cooney, of Marsh, was present to discuss the property insurance market conditions. He said that the overall market was calming down, that there was more capacity now, and that they were hoping that pricing would stabilize or even decrease in the near future.

Ms. Pat Clark, of Marsh, was present to discuss the liability market conditions. She said that things were going smoothly and that the market seemed to be stabilizing.

## **6. Proposed Amendment to By-laws**

The General Manager said that, at the September meeting, the Board had approved a recommendation from the Membership Standards Committee that the By-laws be amended to impose a mandatory 5% surcharge on the liability contribution calculation of any member who failed to attend at least 50% of the Board meetings held during the immediately preceding program year. He said that they had recommended language changes to two sections of the By-laws. One was in Article VI (Duties of Directors and Officers) and one was in Article X (Pooled Coverage Programs) under Automobile/General Liability Cash Contributions. He said that they needed 12 votes for the new language to pass. He said that they would add the language to the By-laws, but that it wouldn't be effective until the next program year.

Director Tonks said that he thought they should be rewarding members for attendance rather than penalizing them for not coming. Director Kain said that she would prefer it to be an incentive, but that the penalty would be more effective in getting members to come to the meetings. The General Manager said that other issues could be dealt with incentives, but that the attendance issue needed to be addressed with penalties.

A motion by Director Koch, seconded by Director Born, to amend the By-laws as recommended, passed by a vote of 17 to 4.

## **7. CJPMRA Risk Management Program Status Update**

The Risk Manager said that he had completed 21 out of 22 member surveys and that there were still a number of members he was waiting to receive policies from. He said that he still had not received all of the training request surveys and asked that they be sent to him.

The General Manager said that they would be presenting the proposed program to the Board at the meeting in April.

## **8. Risk Management Issues**

The Risk Manager was present to discuss the Child Abuse and Neglect Reporting Act requirements. He specified which employees were mandated reporters, discussed their responsibilities and presented a model policy for members to use. He said that the members needed to determine who their mandated reporters were and train them on their responsibilities. He said that he had worked with a consortium, NationalTeacher.org that had developed training programs in this area. He said that a lot of the

training materials were written for school districts, but that the requirements were not specific to them and that they applied to all mandated reporters. He said that he could prepare a training manual for member use if they wanted.

The General Manager said that an additional issue that had come up was the way in which police departments dealt with emotionally disturbed individuals. He said that because this was a newly evolving area of law, they may want to address training for police departments. He said that they were also looking at providing a chiefs meeting for both police and fire agencies of the members to discuss topics such as this.

#### **9. Report on the SPARTA and PROMPT Programs**

The Risk Manager said that, to date, the members had spent \$5,925 on the special event program and \$3,108 on the SPARTA program. He discussed the procedures for procuring coverage through these programs.

Director Handy asked how good the alcohol coverage was. The General Manager said that Board Counsel had had a number of concerns regarding coverage issues and that they would be looking at alternatives to the SPARTA and PROMPT programs in the future.

### **VIII. COMMITTEE REPORTS**

#### **A) Claims: Patricia Born, Chair**

The Claims Committee had nothing to report.

#### **B) Coverage: Jeff Tonks, Chair**

The Coverage Committee had nothing to report.

#### **C) Personnel: Carolyn Lyons, Chair**

The Personnel Committee had nothing to report.

#### **D) Communications: Bob Koch, Chair**

The Communications Committee had nothing to report.

#### **E) Membership Standards: Patricia Born, Chair**

The Membership Standards Committee had nothing to report.

**IX. SETTLEMENTS**

The General Manager said that this item was simply to provide information on settlements that had been paid since the last meeting. He said that there was a minor dispute on attorney's costs in the Lifton case but that he expected to have that resolved shortly.

**X. CLOSED SESSION**

- None

**XI. ACTION ON CLOSED SESSION ITEMS**

- None

**XII. ADJOURNMENT**

A motion by Director Born, seconded by Director Richardson, to adjourn the meeting at 12:02 p.m., passed unanimously.