

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT  
(PRISM)**

**EXECUTIVE COMMITTEE**

**FINAL AGENDA**

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Web Conference/Telephonic Meeting	Thursday, January 5, 2023
<a href="https://zoom.us">https://zoom.us</a>	9:00 a.m.
Teleconference Number: Use Call Me Option or 669-444-9171	First Meeting – 2023
Meeting Number: 859 2811 7379	

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As to each agenda item, the Committee may take action and/or receive informational reports as appropriate.

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**ROLL CALL/INTRODUCTIONS**

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- 1.A. Establishment of Quorum/Introductions ..... 10
  
- 1.B. Web Conference Protocol

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**CONSIDERATION OF OFF AGENDA ITEMS**

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Pursuant to Government Code Section 54954.2(b), except as provided in this paragraph, no action or discussion shall be taken at a regular meeting on any item which does not appear on the posted Final Agenda. Pursuant to Government Code Section 54954.2 (b)(2) an item may be added to the Final Agenda after the Final Agenda has been posted upon a determination by a two-thirds vote of the Committee (or an unanimous vote if less than two-thirds of the Committee is present); the vote shall be on a motion stating that there is a need to take immediate action and that the need for action came to the attention of the Committee subsequent to the Final Agenda being posted. Any such motion shall be accompanied by distribution of a written statement on a form provided by the office of the Chief Executive Officer/Secretary of the Board, to be included in the record, stating the facts upon which it can be determined that the need to take action arose after the Final Agenda was posted. In addition, action may be taken on an item not on the posted Final Agenda under the circumstances stated in Government Code Section 54954.2 (b)(1) [emergency] and 54954.2 (b)(3) [continued regular meetings].

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**PUBLIC COMMENT**

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This portion of the agenda is reserved for members of the general public to address the Committee on any matter not on this agenda that is under the jurisdiction of the Committee.

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**CONSENT AGENDA**

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The following Consent Agenda is expected to be routine and non-controversial. It will be acted upon by the Committee without discussion. Any Committee member, staff member, or interested party may request that any item be removed from the Consent Agenda for later discussion.

- 2.A. Approval of Minutes, December 1, 2022 ..... 12  
*An action to approve the Minutes of the above meeting.*
  
- 2.B. Code of Conduct.....23  
*An action to acknowledge receipt of the Code of Conduct.*

2.C.	Informational Reports <i>An action to acknowledge receipt of the reports.</i>	
	1. Disclosure of Settled Claims .....	26
	2. Disclosure of Underwriting Authority .....	29
	3. 2021/22 EWC Payroll Audit Results .....	32
	4. Interim Financial Statements as of September 30, 2022 .....	33
	5. PRISM Annual Report .....	59

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**COMMITTEE REPORTS**

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3.A.	Claims Review Committee – 12/9/22 (Mike).....	60
3.B.	Claims Review Committee 2 – 12/14/22 (Mike) .....	61
3.C.	Finance Committee – 12/8/22 (Puneet).....	62
3.D.	Medical Malpractice Committee – 12/12/22 (Brian) .....	64
3.E.	Employee Benefits Committee – 12/15/22, 12/22/22 (Sidney).....	65
3.F.	PRISMHealth Committee – 12/14/22 (Sidney) .....	68
3.G.	Risk Control Committee – 12/7/22 (Charles) .....	70

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**INSURANCE PROGRAMS**

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4.A.	EWC & GL1 Policy Statement for Loss Data Submissions (Roberto)..... <i>An action to recommend to the Board to approve a policy requiring members to provide loss data on a monthly basis.</i>	71
4.B.	Fronting for National Expansion (Alliant)..... <i>An action to reaffirm using a fronting carrier for national expansion.</i>	74

**General Liability 1 Program**

4.C.1.	Memorandum of Coverage (MOC) Amendments (Mike)..... <i>An action to recommend to the Board that proposed amendments to the GL1 MOC be approved for distribution to the members for review and comment.</i>	77
4.C.2.	Amendments to the GL1 Recapture Policy (Gina) .....	114
	<i>An action to recommend to the Board to amend the GL1 Recapture Policy to include the exposure adjustment.</i>	
4.C.3.	MS Re Extension Update (Alliant/Gina)..... <i>An informational report regarding the final extension terms.</i>	117

## Master Rolling Owner Controlled Insurance Program

- 4.D. Program Budget Policies (Brian)..... 118  
*An action to ratify the Budget Policies with no changes.*

## Miscellaneous Programs

- 4.E. Cyber Liability – Cyber Audit Services for JPA Members (Travis)..... 120  
*An action to approve a cybersecurity control measure verification process for members of JPAs participating in the Cyber Program.*

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## FINANCIAL MATTERS

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- 5.A. 2022 Annual Comprehensive Financial Report (ACFR) (Puneet)..... 122  
*An informational report regarding the ACFR, as of June 30, 2022.*
- 5.B. PRISM Affiliate Risk Captive (ARC) Audit Report (Puneet)..... 141  
*An informational report regarding the ARC audit report as of June 30, 2022.*
- 5.C. 2023/24 Major Budget Items (Gina)..... 153  
*Provide direction to staff regarding new items of significance for inclusion in the proposed 2023/24 Budget.*

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## GENERAL BUSINESS

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- 6.A. Standard Operating Procedures (SOP) (Gina)..... 157  
*An informational report regarding the SOP.*
- 6.B. Public Safety Task Force RFP for Modern EAP Services (Rick)..... 179  
*An action to approve distribution of an RFP to potential service partners.*
- 6.C. Enterprise Risk Management Implementation (Rick)..... 183  
*An action to approve PRISM's ERM implementation strategy.*
- 6.D. 2022 Crisis Incident Management Services Usage Report (Rick) ..... 188  
*An informational report regarding the usage of the Crisis Incident Management services in 2022.*
- 6.E. Member Services Update (Rick) ..... 190  
*An informational report regarding member services.*
- 6.F. Staff Report (Gina)  
*Staff will report on matters of interest to the Committee.*

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## FUTURE MEETINGS

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The next regularly scheduled meeting will be on **Thursday, February 2, 2023**, at **10:00 a.m.**, to be held **at the PRISM office in Folsom.**

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**CLOSED SESSION**

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*For the following claims items, those in attendance may include members of the Committee and their alternates, legal counsel, as well as authorized staff, which may include the CEO, COO, CLC, claims manager and the primary claims handler and their supervisor.*

*Pursuant to Government Code Section 54956.9(d)(1), the Committee will hold a closed session to discuss the following:*

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION****7.A. PRISM v. AmTrust (Mike)**

*Pursuant to Government Code Section 54956.95, the Committee will hold a closed session to discuss the following claims:*

**LIABILITY AND WORKERS' COMPENSATION CLAIMS****7.B. Report of Pending Workers' Compensation and General Liability Claims Over \$1M (see attached)**

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**ADJOURNMENT**

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*Disability Access: All posted locations for this meeting are wheelchair accessible and disabled parking is available. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the Meeting Planner at (916) 850-7300 or (916) 850-7800 (fax). Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting.*

# EXECUTIVE COMMITTEE MEETING

January 5, 2023

## Closed Session Claims

### Workers' Compensation Claims – Pending

Scott v. ACCEL	Segovia v. City of Stockton
Adams/Clevenger v. ACCEL	Nance v. City of Stockton
West v. ACCEL	Givens v. City of Stockton
Baker/Butler v. ACCEL	Golden v. City of Sunnyvale
Hughes v. ACCEL	Scroggins v. City of Whittier
Becerra-Marquez v. ACCEL	Duvall v. Contra Costa County
Cohen v. ACCEL	Peterson v. CSRM
Ornelas v. ACCEL	Needham v. CSRM
Zafra v. ACCEL	Gavigan v. CSRM
Smith v. ACCEL	Earnhart v. CSURMA
Battaglia v. ACCEL	Threlkel v. CSURMA
Tracy v. ACCEL	Shamas v. El Dorado County
Rokaitis v. ACCEL	Frazier v. East Bay Regional Park District
Lozano v. Alameda County	Ishmael/Taroli v. El Dorado County
Costanzo v. Alameda County	Larssen v. Fresno County
Carter v. Alameda County	Micek v. Fresno County
Overn v. BICEP	OBrien v. Fresno County
Rosas v. BICEP	Fresno Gasline Explosion v. Fresno Co.
Witt v. BICEP	Fresno Co. Shooting n v. Fresno Co.
Sarabia v. BICEP	Gonzales v. Fresno County
Langford v. BICEP	Lamb v. Humboldt County
Sanchez v. BICEP	Bittner v. Humboldt County
Dickerson v. CAPRI	Cooke v. Humboldt County
Melendez v. CA Fair Services Authority	Luna v. Imperial County
Officer Shooting v. City of El Monte	Pompeyo v. Imperial County
Sota v. City of Escondido	Hernandez v. Kings County
Dern v. City of Fresno	Nelson v. LAWCX
Nadeau v. City of Fresno	Deaver v. LAWCX
Mulhem v. City of Hayward	Hart v. LAWCX
Cone v. Cioty of Huntington Beach	Mosqueda v. LAWCX
Brown v. City of Lompoc	Garcia v. Madera County
Reust v. City of Oakland	Martin/Lando v. Marin County
Wingate v. City of Oakland	Widener v. MBASIA
Cage v. City of Oakland	Topps v. MBASIA
Nicholas v. City of Oceanside	Mottu v. MBASIA
Vauthrin v. City of Oceanside	Barclay v. Monterey County
Martinez v. City of Pomona	Becker v. Monterey County
Galotta v. City of Redwood City	Perez v. Monterey County
Bruce v. City of Sacramento	Wallace v. Monterey County
Sanchez v. City of Santa Clara	Larsen v. Mt. Diablo USD
Vitarelli v. City of Santa Clara	Vincent v. Municipal Pooling Authority
Tubbs Fire v. City of Santa Rosa	Bailey v. NCCSIF
Belanger v. City of Simi Valley	

# EXECUTIVE COMMITTEE MEETING

January 5, 2023

## Closed Session Claims

Hutson v. NCCSIF	Langehennig v. Santa Barbara County
Parks v. NCCSIF	McKaig v. Santa Barbara County
Tremaine v. NCCSIF	Cohen v. Santa Barbara County
Roebuck-Kunde v. NCCSIF	Vergara v. Santa Barbara County
Silverado Fire v. OCFA	Linkjendal v. Santa Barbara County
Davis/Malloy v. PASIS - San Bernardino	Vandenberg v. Santa Clara County
Woodcock Jr v. PASIS - San Bernardino	Alongi v. Santa Clara County
Gresoro v. PASIS – San Diego	Jones v. Santa Clara County
Linville v. PASIS - San Diego	Deering v. Santa Cruz County
Amrein v. Placer County	Herfindahl v. Santa Cruz County
Bakulich v Placer County	Santa Cruz Shooting v. Santa Cruz Co.
Foote v. Riverside County	Admas v. Santa Cruz Fire Agencies
Youngblood v. Riverside County	Masiel v. SDRMA
Ogden v. Sacramento County	Walker v. SDRMA
Munso v. Sacramento County	Leffle v. SDRMA
Wise v. Sacramento Co. Contracts	Helle v. Shasta County
Pruitt v. San Bernardino County	Umbrella v. SIRMA
SB Shooting 1 v. San Bernardino Co.	Herring v. SIRMA
Perez/Johnson v. San Diego County	Levin v. Sonoma County
Pero v. San Diego County	Siebe v. Sonoma County
Tavares v. San Diego County	Winter v. Sonoma County
Ramsey v. San Diego County	Helper v. Sonoma County
Mojica v. San Diego County	Garner/Johnson v. Stanislaus County
Hutchings-Hempstead v. S. Joaquin Co.	Martin v. Sutter County
Packard v. San Joaquin County	Kehoe v. Sutter County
Ludford-Orum v. San Luis Obispo Co.	Stoner v. Trindel
Wasley v. San Luis Obispo County	Stewart v. Trindel
Calora v. San Luis Obispo County	Hinds/Gregory v. Tulare County
San Luis Obispo shooting v. San Luis Obispo County	Milton v. Tulare County
Holt/Smith v. San Luis Obispo County	Bass v. Tulare County
Torres v. Santa Barbra County	Stuhaan v. Tulare County
Bainer v. Santa Barbaa County	Schertz v. Tuolumne County
Shellhart v. Santa Barbaa County	Herrman v. West San Gabriel WC JPA
Glamowski v. Santa Barbra County	

## General Liability 1 Claims – Pending

Carleton v. California Fair Services Authority	Davis Family v. City of Encinitas
Jim/Shelly Baka/Coleman v. City of Belmont	Worley v. City of Encinitas
Nunis, et al v. City of Chula Vista	Romines v. City of Lancaster
Landeros, et al v. City of Elk Grove	Senk v. City of Newport Beach
	Murphy v. City of Palmdale
	Bryant v. City of Pomona

## **EXECUTIVE COMMITTEE MEETING**

**January 5, 2023**

### **Closed Session Claims**

Carlson/Zimmer v. City of Redondo  
Beach  
White v. City of San Buenaventura  
Senteno v. City of Vista  
Kester v. Fresno County  
PG&E v. Fresno County  
Brock v. Fresno County  
Ross v. Madera County  
Trout v. Madera County  
Evans v. Nevada County  
Takas v. PARSAC  
Jackson/Ainely v. PARSAC  
Purvis v. Sacramento County  
Coontracts  
Smith v. PERMA

Furcron v. PERMA  
Marcillac/Hanifin/McKenzie v Santa  
Barbara County  
Jones v. Shasta County  
Barbosa, et al v. Shasta County  
Gant v. San Diego USD  
Hernandez-Perez v. Sonoma County  
Mann/Taylor/Kennedy/Del Alto v.  
Stanislaus County  
Gund v. Trinity County  
Brigstocke v. West San Gabriel  
Chen v. West San Gabriel  
Hernandez v. Yuba County

### **General Liability 2 Claims – Pending**

Palacios v. Alameda County  
Armstead v. Alameda County  
Smith v. Alameda County  
Russell v. City of Oakland  
Whitehead v. City of Oakland  
McClain v. City of Pasadena  
Atlantic Speciality Insurance v. City of Sacramento  
Petrovich v. City of Sacramento  
Clark v. City of Sacramento  
Jekir v. City of San Diego  
De Anza Cove, HOA v. City of San Diego  
San Diego Indoor Soccer v. City of San Diego  
Brownlee v. City of San Diego  
Dell'Anno v. City of San Diego  
Moussavian v. City of San Diego  
R.L. Mays Construction v. City of San Diego  
McCoy v. City of Vallejo  
Monterrosa v. City of Vallejo  
Davis v. El Dorado County  
Rosalia v. ERMAC  
Ross v. Riverside County  
Najera v. Riverside County  
Hweidi v. Riverside County  
Wheeler v. Riverside County  
Parker v. Riverside County

**EXECUTIVE COMMITTEE MEETING**  
**January 5, 2023**  
**Closed Session Claims**

Townes v. Riverside County  
Ramos v. San Bernardino County  
Youngblood v. San Bernardino County  
Gerrie v. San Bernardino Departments  
Johnson/Hart v. San Joaquin County  
Ortiz v. San Joaquin County  
Singh v. Santa Clara County  
Weseloh v. Santa Cruz County  
Alma/Francisco/Carrillo/Partida v. Santa Cruz County

**PUBLIC RISK INNOVATION, SOLUTIONS, & MANAGEMENT  
(PRISM)**

**EXECUTIVE COMMITTEE**

**TELEPHONIC ADDRESS LIST**

Web Conference/Telephonic Meeting

Thursday, January 5, 2023

<https://zoom.us>

9:00 a.m.

Teleconference Number: Use Call Me Option or 669-444-9171

First Meeting – 2023

Meeting Number: 859 2811 7379

<b>PRISM</b>		75 Iron Point Circle, Suite 200 Folsom, CA 95630	(916) 850-7300
<b>ACCEL/City of Santa Barbara</b>	Mark Howard	735 Anacapa Street Santa Barbara, CA 93101	(805) 897-2654
<b>Contra Costa County</b>	Karen Caoile	2530 Arnold Dr. Suite 140 Martinez, CA 94553	(925) 335-1408
<b>GSRMA</b>	Scott Schimke	247 West Sycamore Street Willows, CA 95988	(530) 934-5633
<b>Inyo County</b>	Aaron Holmberg	1360 N. Main St. Bishop, CA 93514	(760) 872-2908
<b>Kern County</b>	Matt Gutierrez	1115 Truxtun Ave Bakersfield, CA 93301	(661) 868-3808
<b>Lassen County</b>	Richard Egan	221 S. Roop Street, Suite 4 Susanville, CA 96130	(530) 251-8333
<b>Mendocino County</b>	Heather Rose	501 Low Gap Road, Room 1010 Ukiah, CA 95482	(707) 234-6061
<b>Santa Clara County</b>	Lance Sposito	2310 N. First Street, Suite 203 San Jose, CA 95131	(408) 441-4342
<b>Sonoma County</b>	Janell Crane	575 Administration Drive, Ste 116C Santa Rosa, CA 94503	(707) 565-2885
<b>Sutter County</b>	Nathan Black	463 2 <sup>nd</sup> Street Yuba City, CA 95991	(530) 822-7127
<b>Yolo County</b>	Barbara Lubben	77 W. Lincoln Ave. Woodland, CA 95695	(530) 666-4456 Xt. 202