

CSAC EXCESS INSURANCE AUTHORITY

EXECUTIVE COMMITTEE

FINAL AGENDA

CSAC Excess Insurance Authority
75 Iron Point Circle, Suite 200
Folsom, California 95630
916-850-7300

Thursday, May 5, 2016
9:00 a.m.
Fifth Meeting – 2016

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

ROLL CALL/INTRODUCTIONS

- 1.A. Establishment of Quorum/Introductions 10

CONSIDERATION OF OFF AGENDA ITEMS

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].

CONSENT AGENDA

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, March 3, 2016 12
An action to approve the Minutes of the above meeting.
- 2.B. CSAC EIA Membership Applications 23
An action to approve the list of entities for membership in the EIA.
- 2.C. EWC & GL1 Program Budget Policies..... 24
An action to recommend to the Board to approve the EWC and GL1 Program Budget Policies.
- 2.D. Broker Compensation Confirmation Report..... 32
An action to acknowledge the results of the compensation confirmation and to direct staff to post the report on the EIA's website.

2.E.	Disclosure of Settled Claims.....	36
	<i>An action to acknowledge receipt of the disclosure.</i>	
2.F.	Informational Reports	
	<i>An action to acknowledge receipt of the informational reports listed below.</i>	
1.	Disclosure of Underwriting Authority.....	39
2.	Notices of Intent for Potential Withdrawal	42

COMMITTEE REPORTS

3.A.	Legislative Committee – 3/10/16, 4/14/16	44
3.B.	Claims Review Committee – 3/11/16, 4/15/16.....	48
3.C.	Property Committee – 3/14/16, 4/28/16.....	51
3.D.	Primary General Liability Committee – 3/25/16	53
3.E.	Personnel Sub-Committee – 4/6/16.....	55
3.F.	Primary Workers’ Compensation Committee – 4/20/16.....	57
3.G.	Finance Committee – 4/21/16.....	59
3.H.	Underwriting Committee – 5/4/16.....	61
3.I.	General Liability 2 Committee – 5/4/16.....	62

INSURANCE PROGRAMS

Primary Workers’ Compensation Program

4.A.	2016/17 Renewal Terms (Gina/Alliant)	63
	<i>An informational report regarding the 2016/17 renewal.</i>	

Excess Workers’ Compensation Program

4.B.1.	2016/17 Renewal Terms (Gina/Alliant)	65
	<i>An informational report regarding the 2016/17 renewal.</i>	
4.B.2.	Risk Transfer to EIA Captive (Mike F.).....	68
	<i>An action to recommend to the Board of Directors to approve transferring risk for the EWC Program to the EIA Captive for 2016/17.</i>	

- 4.B.3. Policy on Claims Allocation (Jen) 72
An action to recommend to the Board of Directors to approve the draft policy statement on claims allocation to be sent out to the EWC Program members for review and comment.

Primary General Liability Program

- 4.C. 2016/17 Renewal Terms (Brian/Alliant) 76
An informational report regarding the 2016/17 renewal.

General Liability 1 Program

- 4.D.1. 2016/17 Renewal Terms (Brian/Alliant) 78
An informational report regarding the 2016/17 renewal.
- 4.D.2. Risk Transfer to EIA Captive (Mike F.) 80
An action to recommend to the Board of Directors to approve transferring risk for the GL1 Program to the EIA Captive for 2016/17.

General Liability 2 Program

- 4.E. 2016/17 Renewal Terms (Alliant) 83
An informational report regarding the 2016/17 renewal.

Master Rolling Owner Controlled Insurance Program (MR OCIP)

- 4.F. New Member Application – Tulare County (Alliant) 86
An action to approve Tulare County in the MR OCIP.

Miscellaneous Programs

- 4.G. 2016/17 Watercraft Program Renewal (Alliant) 87
An action to approve the 2016/17 Watercraft Program renewal.

STRATEGIC PLANNING RETREAT MATTERS

- 5.A. 2016 Strategic Planning Retreat Recap (Mike F.) 95
An informational report regarding the 2016 Spring Retreat.
- 5.B. Retreat Item – In-House Actuarial Services (Gina) 106
An action to approve establishment of an in-house actuarial services department.
- 5.C. Retreat Item – EIA Captive Insurance Company (Mike F.) 114
An action to recommend to the Board to approve establishment of a captive insurance company.
- 5.D. Retreat Item – Member Services (Rick) 161
An action to direct staff on how to move forward with services related to insurance requirements and authorize entering into a 9-month contract for legal services for the members.

- 5.E. Retreat Item – Executive Committee Succession Planning (Gina)171
An action to determine if any of the ideas generated should be implemented.

PERSONNEL MATTERS

- 6.A. Merit Pay Pool Limit (Mike F.)174
An action to approve a merit pool to be available for merit pay increases, effective July 1, 2016, subject to Board approval of the 2016/17 budget.
- 6.B. Market Adjustment/Salary Survey (Mike F.)177
An action to implement a 1% market adjustment to all ranges in the staff salary structure, effective July 1, 2016.
- 6.C. Staff Changes (Mike F.)179
An informational report regarding the requested staffing changes.
- 6.C.1. Staff Changes – Information Technology Department (George)181
An action to approve 2 new positions in the IT Department, reclassify one of the Supervising IT Sr. Specialists to IT Manager, and reclassify one IT Specialist to a Sr. Specialist, effective July 1, 2016.
- 6.C.2. Staff Changes – Workers' Compensation Claims Department (Mike P.)186
An action to add a new Sr. Specialist position, effective July 1, 2016.
- 6.C.3. Staff Changes – Liability Claims Department (Mike P.)188
An action to add a new Specialist position, effective July 1, 2016.
- 6.D. CEO Performance Evaluation and Goals (Mike F.)190
An action to approve the CEO's goals for 2016/17.

FINANCIAL MATTERS

- 7.A. 2016/17 Proposed General Administration & Building Budgets (Marianne)204
Provide direction to staff regarding any changes to the 2016/17 proposed General Administration and Building budgets.
- 7.B. General Administration, MR OCIP, & Miscellaneous Programs Budget Policies (Vicki)230
An action to approve the listed Program Budget Policies.
- 7.C. Transfer of Surplus Funds from Miscellaneous Program (Marianne)240
An action to approve the transfer of funds from the Life & Disability Miscellaneous Programs to the General Administration Program.

GENERAL BUSINESS

- 8.A. Committee Appointments (Gina).....241
An action to appoint a replacement on the PWC, CRC, Medical Malpractice, and Employee Benefits Committees.
- 8.B. Amendments to Conflict of Interest Code (Gina).....243
An action to recommend to the Board to approve amendments to the Conflict of Interest Code.
- 8.C. Staff Report (Mike)
Staff will report on matters of interest to the Committee.

CLOSED SESSION

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, CCO, claims manager and the primary claims handler and their supervisor.

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

- 9.A. Report of Pending Workers' Compensation and General Liability Claims Over \$1M (see attached)

PUBLIC COMMENT

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.

FUTURE MEETINGS

The next regularly scheduled meeting will be held on **Thursday, June 2, 2016**, at 9:00 a.m., at the **Hilton Arden West** in conjunction with the **June Board of Directors meeting**.

ADJOURNMENT

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

May 5, 2016

Closed Session Claims

Workers' Compensation Claims – Pending

McKay v. ACCEL	Dern v. City of Fresno
Fanchier v. ACCEL	Martin (Elora) v. City of Garden Grove
Scott v. ACCEL	Healy v. City of Oakland
Adams/Clevenger v. ACCEL	Cage v. City of Oakland
Quick v. ACCEL	White v. City of Oakland
McLaughlin v. ACCEL	The Oakland Officers v. City of Oakland
Hinshaw v. ACCEL	Ross v. City of Oakland
Moses v. ACCEL	Ow v. City of Oakland
West v. ACCEL	Peretz v. City of Redwood City
Baker/Butler v. ACCEL	Kitterle v. City of Rialto
Seaton v. ACCEL	Vu v. City of Richmond
Hughes v. ACCEL	Castro v. City of Santa Clara
Corrigan v. ACCEL	Sanchez v. City of Santa Clara
Gledhill v. Alameda County	Johnson v. City of Simi Valley
Lozano v. Alameda County	Hoensch v. City of South San Francisco
Thomas v. Alameda County	Segovia v. City of Stockton
Hilliard v. Alameda County	Whitlock v. City of Stockton
Drayden v. Alameda County	Prouty v. City of Stockton
Royster v. BAHARMA	Carranco v. City of Stockton
Sanchez v. BICEP	Long v. City of Stockton
Lopez-Perez v. BICEP	Howard v. City of Sunnyvale
Cuellar v. BICEP	Smith v. City of Torrance
Overn v. BICEP	Burton/Desmond v. Contra Costa Co.
Ahearn v. BICEP	Sancen-Vega v. Contra Costa County
Rosas v. BICEP	Chase v. Contra Costa County
Christopher v. Butte County	Duvall v. Contra Costa County
Gassaway v. Butte County	Walker v. EBRPD
Wilson v. Calaveras County	Shamas v. El Dorado County
Bettencourt v. Campbell Union HSD	Petersen v. El Dorado County
Dickerson v. CAPRI	Larssen v. Fresno County
Kolisnyk v. City of Burbank	Micek v. Fresno County
Kaiser v. City of Burlingame	Jensen v. Fresno County
Anglin v. City of Chula Vista	OBrien v. Fresno County
Hunley v. City of Concord	Cavin v. Fresno County
Sanderson v. City of Corona	Phillips v. Fresno County
Porter v. City of Corona	Fresno Gasline Explosion v. Fresno Co.
Portuguiz v. City of Daly City	Carrick v. GSRMA
Kleinheinz v. City of Daly City	Schlesiger v. Humboldt County
Beardsley v. City of El Cajon	Sanchez v. ICRMA
Sota v. City of Escondido	Estrada v. ICRMA
Young v. City of Fremont	Vela v. Imperial County
Martin v. City of Fremont	Luna v. Imperial County

EXECUTIVE COMMITTEE MEETING

May 5, 2016

Closed Session Claims

Workers' Compensation Claims – Pending (continued)

Bohl v. Kern County
Chase v. Kern County
VanDenBerg/Murillo v. Kings County
Muskrat v. Kings County
White v. Kings County
Tufts v. Lake County
Bergstrom v. Lake County
Nelson v. LAWCX
Ginsburg v. Madera County
Stevenson v. Madera County
Martin/Lando v. Marin County
Molina v. Marin County
Pierce v. Merced County
Barclay v. Monterey County
Perez v. Monterey County
Morrow v. Monterey County
Cryder v. Monterey County
Lumpkin v. Monterey County
Larsen v. Mt. Diablo USD
Lasater v. Municipal Pooling Authority
Vincent v. Municipal Pooling Authority
Jaquith v. Municipal Pooling Authority
Bennett v. Napa County
Bailey v. NCCSIF
P. (minor) v. NCSDIA
Edwards, et al. v. Nevada County
Kuhl v. Orange County Fire Authority
Davis/Malloy v. PASIS - San Bernardino
Woodcock Jr v. PASIS - San Bernardino
Strikwerda v. PASIS - San Diego
Linville v. PASIS – San Diego
Elorza v. Plumas County
Randall v. Plumas County
Nickell v. Riverside County
Lewis v. Riverside County
Lazan v. Riverside County
Foote v. Riverside County
Ogden v. Sacramento County
Eichman v. Sacramento County
Soares v. Sacramento County
Hammel v. Sacramento County
Acosta v. Sacramento County

Sekany v. Sacramento County
Fujimoto v. San Bernardino County
Thierry v. San Bernardino County
Annear v. San Bernardino County
Pruitt v. San Bernardino County
Archev v. San Bernardino County
SB Shooting 1 v. San Bernardino Co.
Christensen v. San Diego County
Perez/Johnson v. San Diego County
Pero v. San Diego County
Budziak v. San Diego County
Huse v. San Diego County
Miner v. San Joaquin County
Hutchings-Hempstead v. S. Joaquin Co.
Prasad v. San Joaquin County
Spangle v. San Joaquin County
Conner v. San Luis Obispo County
Addy v. San Luis Obispo County
Hebrard v. San Luis Obispo County
Silbert v. San Luis Obispo County
Ludford-Orum v. San Luis Obispo Co.
Wasley v. San Luis Obispo County
Calora v. San Luis Obispo County
Gamlowski v. Santa Barbara County
Torres v. Santa Barbara County
Read Sr. v. Santa Barbara County
Bainer v. Santa Barbara County
Fondern v. Santa Barbara County
Shellhart v. Santa Barbara County
Baker v. Santa Barbara County
Manzer v. Santa Barbara County
Stetson v. Santa Barbara County
McSkimming v. Santa Barbara County
McKaig v. Santa Barbara County
Veron v. Santa Barbara County
Benderas v. Santa Clara County
Vandenberg v. Santa Clara County
Herfindahl v. Santa Cruz County
Deering v. Santa Cruz County
Kester v. Santa Cruz County
Scofield v. Santa Cruz County
Hernandez-Bautista v. SCSRM

EXECUTIVE COMMITTEE MEETING

May 5, 2016

Closed Session Claims

Workers' Compensation Claims – Pending (continued)

Blacketer v. SCSRM	Wright v. Sonoma County
Peterson v. SCSRM	Eagan v. Sonoma County
Aguayo v. SCSRM	Levin v. Sonoma County
Fino v. SCSRM	Anderson v. Stanislaus County
Fernandez v. SDRMA	Brooks v. Stanislaus County
Kim v. SDRMA	Hess v. Sutter County
Walker v. SDRMA	Short v. Sutter County
McCafferty v. SDRMA	Baldrige v. Sutter County
Myers v. SDRMA	Winn v. Trinity County
Waite, Jr. v. SDRMA	Stewart v. Trinity County
Krein v. SDRMA	Hinds/Gregory v. Tulare County
Van Laak v. Shasta County	Rodriguez/Hernandez, et al. v Tulare Co
Carroll v. Shasta County	Milton v. Tulare County
Hagnes v. SIRMA	Howell v. Tulare County
Pizarro-Mack v. SLIM	Ballantyne/Chavez v. Tulare County
Gonzales v. SLIM	Daly v. Tuolumne County
Anderson v. Solano County	Rogers v. Tuolumne County
Bryon v. Solano County	Peterson v. Tuolumne County
Tedesco-Brady v. Solano County	D'Hondt v. Tuolumne County
Smith v. Sonoma County	Lucio v. West San Gabriel WC JPA
Lacy v. Sonoma County	Herman v. West San Gabriel WC JPA
Blinn v. Sonoma County	

General Liability 1 Claims – Pending

Alvarez v. Anaheim Union HSD	Pinheiro v. Fresno County
Medina v. Anaheim Union HSD	Phillips v. Fresno County
Devlin v. Butte County	Lincks/Wheeler v. Humboldt County
Arriaga-Rodriguez v. Butte County	Craig v. Irvine Ranch Water District
Sears v. Butte County	Garcia (minors) v. PARSAC
Hrdlicka v. Butte County	McGowen/Camacho Estate v. PARSAC
Orozco, et al. v. Campbell Union HSD	Heath, et al. v. PERMA
Burns Estate v. City of Concord	Brenneise v. San Diego USD
PG&E v. Fresno County	Doe v. SMCSIG
Hudson v. Fresno County	Lopez (minor) v. Sonoma County
Mendoza-Saravia v. Fresno County	Doe v. SBASIA
Rincon v. Fresno County	H. (minor) v. Torrance USD
Nava v. Fresno County	Baez v. WSG Liability and Property JPA
Clowers v. Fresno County	

General Liability 2 Claims – Pending

Hives v. Alameda County	Huggins, et al. v. Alameda County
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EXECUTIVE COMMITTEE MEETING

May 5, 2016

Closed Session Claims

General Liability 2 Claims – Pending (continued)

Qian v. City of Oakland
Jackson v. City of Oakland
Vinolo v. City of San Diego
Randolph, et al. v. City of San Diego
Sroka v. City of San Diego
Haytasingh v. City of San Diego
Brown, Jr. v. City of San Diego
Aavang v. City of San Diego
Abbe v. City of San Diego
Aglia v. City of San Diego
Campbell et al. v. City of San Diego
Lopez v. City of San Diego
McCormack Jackson v. City of San Diego
Toeppe v. City of San Diego
Ontiveros v. Contra Costa County
Cardenas v. Contra Costa County
Horton v. Exclusive Risk Mgmt Authority
Huynh v. Exclusive Risk Mgmt Authority
Rogers v. Riverside County
A (minor) v. Riverside County
Pedroza v. Riverside County
Anderson v. Riverside County

Nieto v. Riverside County
Hakimbachi v. Riverside County
Lapaglia v. Riverside County
Soriano v. Riverside County
Vivas v. Riverside County
Schmuck v. Riverside County
Volcano Fire v. Riverside County
Batten v. Riverside County
Sengul v. Riverside County
Whitman v. Riverside County
Hanson (minor) v. San Bernardino Co.
PG&E, et al. v. San Joaquin County
Song v. Santa Clara County
Golin, et al. v. Santa Clara County
Gosalves/Le Si Pham v. Santa Clara Co
Doe v. Santa Clara County
Tyree v. Santa Clara County
Romero v. Santa Clara County
Campbell v. Santa Cruz County
Fox v. Tulare County
Moreno, A. v. Tulare County
Moreno, R. v. Tulare County