

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

**EXECUTIVE COMMITTEE**

**FINAL AGENDA**

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Web Conference/Telephonic Meeting <a href="https://zoom.us/">https://zoom.us/</a> Teleconference Number: Use Call Me option or 669-900-9128 Meeting Number: 983 0396 4007	Thursday, May 6, 2021 9:00 a.m. Sixth Meeting – 2021
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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, March 4, 2021 ..... 12  
*An action to approve the Minutes of the above meeting.*

2.B.	Approval of Minutes, March 15, 2021 .....	23
	<i>An action to approve the Minutes of the above meeting.</i>	
2.C.	Approval of Minutes, April 5, 2021 .....	25
	<i>An action to approve the Minutes of the above meeting.</i>	
2.D.	PRISM Membership Applications .....	27
	<i>An action to approve the list of entities for membership in PRISM.</i>	
2.E.	General Administration Program Budget Policies.....	28
	<i>An action to approve amendments to the General Administration Program Budget Policies.</i>	
2.F.	Committee Appointment.....	35
	<i>An action to make an appointment to one of PRISM's committees.</i>	
2.G.	Informational Reports	
	<i>An action to acknowledge receipt of the reports.</i>	
	1. Disclosure of Settled Claims .....	36
	2. Notices of Intent for Potential Withdrawal .....	40
	3. Disclosure of Underwriting Authority .....	42

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## COMMITTEE REPORTS

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3.A.1.	Claims Review 2 – 3/10/21, 4/14/21 .....	47
3.A.2.	Claims Review – 3/12/21, 4/9/21 .....	49
3.A.3.	Legislative – 3/11/21, 4/8/21 .....	51
3.A.4.	Primary Workers' Compensation – 3/17/21 .....	61
3.A.5.	General Liability 2 – 3/24/21 .....	63
3.A.6.	Medical Malpractice – 3/25/21 .....	65
3.A.7.	Property – 3/23/21 .....	67
3.A.8.	Underwriting – 3/31/21, 5/5/21 .....	68
3.A.9.	Finance – 4/15/21 .....	69
3.A.10.	PRISMHealth – 4/15/21 .....	71
3.A.11.	Employee Benefits – 4/28/21.....	73
3.A.12.	Personnel – 4/7/21 .....	74

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## INSURANCE PROGRAMS

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4.A.	Multi-Program Reinsurance Option (Alliant) .....	76
	<i>An action to approve terms for a structure including multiple programs.</i>	
4.B.	Fronting Arrangement and National Expansion (Gina/Alliant) .....	77
	<i>An action to approve the fronting arrangement for non-California participants.</i>	

### **Excess Workers' Compensation Program**

4.C.1.	2021/22 Renewals (Alliant) .....	79
	<i>An informational report regarding the 2021/22 renewal.</i>	
4.C.2.	2021/22 Deposit Premium Allocation (Rebekah).....	111
	<i>An action to recommend to the Board to reduce the administrative charges to match the adopted 2021/22 budget.</i>	
4.C.3.	Potential Memorandum of Coverage (MOC) Amendments (Mike) .....	112
	<i>An action to recommend to the Board of Directors to approve some amendments to the MOC and to direct staff to extend the review and comment period to give members an opportunity to provide feedback on new proposed amendments to the MOC.</i>	

### **General Liability 1 Program**

4.D.1.	2021/22 Reinsurance Renewal (Alliant).....	129
	<i>An informational report regarding the status of the 2021/22 renewal.</i>	
4.D.2.	2021/22 Premium Allocation (Rebekah) .....	149
	<i>An action to recommend to the Board to reduce the administrative charges to match the adopted 2021/22 budget.</i>	
4.D.3.	Proposed Amendments to Schools Endorsements (Rebekah) .....	150
	<i>An action to recommend to the Board to approve amendments to the MOC endorsements for schools.</i>	

### **General Liability 2 Program**

4.E.	2021/22 Reinsurance Renewal (Alliant).....	160
	<i>An informational report regarding the status of the 2021/22 renewal.</i>	

### **Miscellaneous Programs**

4.F.1.	2021/22 CIMI Program Renewal (Alliant).....	162
	<i>An action to approve the 2021/22 renewal.</i>	
4.F.2.	2021/22 Watercraft Program Renewal (Alliant).....	163
	<i>An action to approve the 2021/22 renewal.</i>	
4.F.3.	2021/22 Pollution Program Renewal (Alliant).....	174
	<i>An action to approve the 2021/22 renewal.</i>	
4.F.4.	2021/22 Aviation Program Renewal (Alliant).....	192
	<i>An action to approve the 2021/22 renewal.</i>	
4.F.5.	2021/22 Master Crime Program Renewal (Alliant).....	208
	<i>An action to approve the 2021/22 renewal.</i>	

4.F.6.	2021/22 Cyber Liability Program Renewal (Alliant) .....	219
	<i>An action to approve the 2021/22 renewal.</i>	

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## PERSONNEL MATTERS

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5.A.	Merit Pay Pool Limit (Gina) .....	247
	<i>An action to approve a merit pool to be available for merit pay increases, effective July 1, 2021.</i>	
5.B.	Market Adjustment (Gina) .....	258
	<i>An action to implement a market adjustment to ranges in the staff salary structure for the 2021/22 year.</i>	
5.C.1.	Staff Changes (Gina) .....	260
	<i>An informational report regarding the requested staffing changes.</i>	
5.C.2.	New – Senior Underwriting Specialist (Brian) .....	264
	<i>An action to approve the new position, effective October 1, 2021.</i>	
5.C.3.	New – 2 New Senior Liability Claims Specialist Positions (Mike) .....	266
	<i>An action to approve the new positions, effective July 1, 2021.</i>	
5.D.	Chief Executive Officer Performance Evaluation & Goals (Gina) .....	269
	<i>An action to approve the 2021/22 CEO goals and review the 2021 member satisfaction survey results and status of 2020/21 goals.</i>	

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## FINANCIAL MATTERS

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6.A.	2021/22 Proposed General Administration, Building and Capital Budgets (Puneet) .....	286
	<i>An action to recommend approval to the Board and/or provide direction to staff regarding any changes to the 2021/22 proposed General Administration, Building, &amp; Capital budgets.</i>	

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## GENERAL BUSINESS

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7.A.	2021 Fall Retreat (Brian/Alicia) .....	298
	<i>Provide direction to staff regarding the 2021 Fall Retreat.</i>	
7.B.	Staff Report (Gina)	
	<i>Staff will report on matters of interest to the Committee.</i>	

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## FUTURE MEETINGS

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The next regularly scheduled meeting will be on **Thursday, June 3, 2021**, at **9:00 a.m.**, to be held **via Web Conference**, in conjunction with the **June Board of Directors meeting**.

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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**

- 8.A. CSAC EIA v. Elliott Homes, Inc., et al. (Mike P.)
- 8.B. PRISM v. AmTrust (Mike P.)

*Pursuant to Government Code Section 54956.95, the Committee will also discuss the following claims:*

**LIABILITY AND WORKERS' COMPENSATION CLAIMS**

- 8.C. 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

May 6, 2021

## Closed Session Claims

### Workers' Compensation Claims – Pending

Scott v. ACCEL	Belanger v. City of Simi Valley
Adams/Clevenger v. ACCEL	Segovia v. City of Stockton
Hatcher v. ACCEL	Nance v. City of Stockton
West v. ACCEL	Givens v. City of Stockton
Baker/Butler v. ACCEL	Howard v. City of Sunnyvale
Hughes v. ACCEL	Scroggins v. City of Whittier
Becerra-Marquez v. ACCEL	Duvall v. Contra Costa County
Cohen v. ACCEL	Roquemore v. Contra Costa County
Ornelas v. ACCEL	Peterson v. CSRM
Zafra v. ACCEL	Needham v. CSRM
Smith v. ACCEL	Gavigan v. CSRM
Battaglia v. ACCEL	Earnhart v. CSURMA
Lozano v. Alameda County	Shamas v. El Dorado County
Costanzo v. Alameda County	Ishmael/Taroli v. El Dorado County
Carter v. Alameda County	Larssen v. Fresno County
Lopez-Perez v. BICEP	Micek v. Fresno County
Cuellar v. BICEP	OBrien v. Fresno County
Overn v. BICEP	Fresno Gasline Explosion v. Fresno Co.
Rosas v. BICEP	Fresno Co. Shooting n v. Fresno Co.
Witt v. BICEP	Gonzales v. Fresno County
Sarabia v. BICEP	Wakefield v. GSRMA
Langford v. BICEP	Lamb v. Humboldt County
Castelan v. BICEP	Daniels v. Humboldt County
Bettencourt v. Campbell USHD	Mitchell v. Humboldt County
Dickerson v. CAPRI	Luna v. Imperial County
Sota v. City of Escondido	Hernandez v. Kings County
Navas/Johnson v. City of Fremont	Bergstrom v. Lake County
Dern v. City of Fresno	Nelson v. LAWCX
Nadeau v. City of Fresno	Deaver v. LAWCX
Brown v. City of Lompoc	Hart v. LAWCX
The Oakland Officers v. City of Oakland	Mosqueda v. LAWCX
Tucker v. City of Oakland	Markle v. Madera County
Reust v. City of Oakland	Garcia v. Madera County
Wingate v. City of Oakland	Martin/Lando v. Marin County
Ghostship Fire v. City of Oakland	Taylor v. Merced County
Cage v. City of Oakland	Widener v. MBASIA
Martinez v. City of Pomona	Watts v. Monterey County
Galotta v. City of Redwood City	Barclay v. Monterey County
Kitterle v. City of Rialto	Perez v. Monterey County
Bruce v. City of Sacramento	Duenas v. Monterey County
Castro v. City of Santa Clara	Samaro v. Monterey County
Sanchez v. City of Santa Clara	Caggiano v. Monterey County
Vitarelli v. City of Santa Clara	Lumpkin v. Monterey County

# EXECUTIVE COMMITTEE MEETING

May 6, 2021

## Closed Session Claims

Wallace v. Monterey County	Shellhart v. Santa Barbara County
Larsen v. Mt. Diablo USD	Manzer v. Santa Barbara County
Vincent v. Municipal Pooling Authority	McSkimming v. Santa Barbara County
Bailey v. NCCSIF	Glamowski v. Santa Barbara County
Tremaine v. NCCSIF	Carpenter v. Santa Barbara County
Roebuck-Kunde v. NCCSIF	Langehennig v. Santa Barbara County
Iwaarden v. OCFA	Cohen v. Santa Barbara County
Le v. OCFA	Vandenberg v. Santa Clara County
Davis/Malloy v. PASIS - San Bernardino	Alongi v. Santa Clara County
Woodcock Jr v. PASIS - San Bernardino	Jones v. Santa Clara County
Linville v. PASIS - San Diego	Deering v. Santa Cruz County
Harper v. Placer County	Kester v. Santa Cruz County
Foote v. Riverside County	Herfindahl v. Santa Cruz County
Youngblood v. Riverside County	Santa Cruz Shooting v. Santa Cruz Co.
Ogden v. Sacramento County	Masiel v. SDRMA
Munso v. Sacramento County	Walker v. SDRMA
Wise v. Sacramento Co. Contracts	Carroll v. Shasta County
Annear v. San Bernardino County	Helle v. Shasta County
Pruitt v. San Bernardino County	Henderson v. SIRMA
SB Shooting 1 v. San Bernardino Co.	Fitzpatrick v. SIRMA
Perez/Johnson v. San Diego County	Umbrella v. SIRMA
Pero v. San Diego County	Estate of Eric Harris v. SIRMA
Huse v. San Diego County	Smith v. Sonoma County
Tavares v. San Diego County	Levin v. Sonoma County
Andriso v. San Diego County	Siebe v. Sonoma County
Hutchings-Hempstead v. S. Joaquin Co.	Garner/Johnson v. Stanislaus County
Spangle v. San Joaquin County	Collins v. Stanislaus County
Packard v. San Joaquin County	Stoner v. Trindel
Silbert v. San Luis Obispo County	Stewart v. Trindel
Ludford-Orum v. San Luis Obispo Co.	Hinds/Gregory v. Tulare County
Wasley v. San Luis Obispo County	Milton v. Tulare County
Calora v. San Luis Obispo County	Bass v. Tulare County
Dreyfus v. San Luis Obispo County	Boland v. Tulare County
Torres v. Santa Barbara County	Stuhaan v. Tulare County
Soqui v. Santa Barbara County	Herrman v. West San Gabriel WC JPA
Bainer v. Santa Barbara County	
Fondern v. Santa Barbara County	

## General Liability 1 Claims – Pending

Stevens, Chris v. Alpine County	Crabtree, Darwin, Butte Co.
Alvarez v. Anaheim Union HSD	Baka/Coleman v. City of Belmont
Arriaga-Rodriguez v. Butte County	Hamilton/Navarro v. City of Covina
Estate of William Doherty v Butte Co.	Villa v. City of Del Mar

## **EXECUTIVE COMMITTEE MEETING**

**May 6, 2021**

### **Closed Session Claims**

Landeros, et al v City of Elk Grove  
Walker v. City of Encinitas  
Arenas v City of Escondido  
Newell Jr. v City of Escondido  
Vandendiessche v City of Napa  
City of Chula Vista v City of National  
City  
Heirs of Gerrit Vos v City of Newport  
Beach  
Cassidy v. City of Redondo Beach  
Kester v. Fresno County  
PG&E v. Fresno County  
Brock v. Fresno County

Awad v. GSRMA  
Ignelzi-Smith v IRWD  
Ross v. Madera County  
Perez et al v PARSAC  
Alba v PERMA  
Williams v. PERMA  
Joseph, J v San Bernardino Depts.  
Keller v. Santa Barbara County  
Marcillac/Hanifin/McKenzie v Santa  
Barbara Co.  
Ward, D v Sonoma County  
Garnica v South Bay Area SIA

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

Russell v City of Oakland  
Whitehead v. City of Oakland  
Velez v. City of Sacramento  
Cornerstone v. City of San Diego  
Dominguez v. City of San Diego  
Chavez v. City of San Diego  
Barioni v. City of San Diego  
Brown v. City of San Diego  
Vinolo v City of San Diego  
La Jolla Alta Master v. City of San Diego  
Horton v. ERMAC  
Heirs of Agustin Gonsalez v ERMAC  
Linga v Riverside County  
Smith v. Riverside County  
Roberts v. Riverside County  
Ross v. Riverside County  
Townes v Riverside County  
Jordan-Santos v San Bernardino Departments  
Singh v. Santa Clara County



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

**EXECUTIVE COMMITTEE**

**TELEPHONIC ADDRESS LIST**

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<https://zoom.us/> 9:00 a.m.  
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 Meeting Number: 983 0396 4007

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<b>PRISM</b>		75 Iron Point Circle, Suite 200 Folsom, CA 95630	(916) 850-7300
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<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>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>Merced County</b>	James Brown	2222 M Street Merced, CA 95340	(209) 385-7595
<b>Napa County</b>	Kerry John Whitney	1195 3 <sup>rd</sup> Street, Room 310 Napa, CA 94559	(707) 253-4821
<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
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