



MINUTES
CLAIMS & COVERAGE COMMITTEE MEETING
January 11, 2012
9:30 A.M.

AYRES INN CORONA EAST
2260 GRIFFIN WAY
CORONA, CA 92879
951-734-2140

I. CALL TO ORDER

The meeting was called to order at 9:32 a.m. by Chairperson Steve Salvati.

II. ROLL CALL

Those in attendance were:

CHAIRPERSON

POWAY UNIFIED SCHOOL DISTRICT

Steven Salvati

COMMITTEE MEMBERS

ALVORD UNIFIED SCHOOL DISTRICT
FONTANA UNIFIED SCHOOL DISTRICT
HEMET UNIFIED SCHOOL DISTRICT
GARDEN GROVE UNIFIED SCHOOL DISTRICT
GARDEN GROVE UNIFIED SCHOOL DISTRICT
HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT
ORANGE UNIFIED SCHOOL DISTRICT
REDLANDS UNIFIED SCHOOL DISTRICT
RIVERSIDE SCHOOLS INSURANCE AUTHORITY
RIVERSIDE SCHOOLS INSURANCE AUTHORITY
RIVERSIDE SCHOOLS INSURANCE AUTHORITY
RIVERSIDE SCHOOLS INSURANCE AUTHORITY
SELF INSURANCE RISK MANAGEMENT AUTHORITY II
WILLIAM S. HART UNION HIGH SCHOOL DISTRICT

Tracy Horton
Larry Wilkie
Lucy Rebuck
Nancy Mefford
Rick Nakano
Sergio Cazorla
Cheryl Paine-Peterson
Brian Guggisberg
Steven Hovey
Judy Miller
Daniel Whitfield
Craig Frame
Jaime Garcia
Susan Hoerber

MANAGER

KEENAN & ASSOCIATES

Douglas Ross
Tony Hayes
Tiana Loyd
Arlene LaCoste
Eric Preston

PROPERTY & LIABILITY CLAIMS ADMINISTRATION (PLCA)
LOSS CONTROL

OTHERS

HIGH DESERT SCHOOLS' JOINT POWERS AUTHORITY
ORANGE UNIFIED SCHOOL DISTRICT

Kathleen Hardy
Joe Sorrera

ABSENT

HIGH DESERT SCHOOLS' JOINT POWERS AUTHORITY
HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT
NORTHERN ORANGE COUNTY L&P SCHOOLS INSURANCE AUTHORITY
OCEANSIDE UNIFIED SCHOOL DISTRICT
PALM SPRINGS USD
RIALTO UNIFIED SCHOOL DISTRICT
RIVERSIDE SCHOOLS INSURANCE AUTHORITY

Monika Knight
Rose Multari
Patricia Meyer
Tim Ware
Renee Brunelle
Gloria Pena
Jayne Christakos

III. APPROVAL OF AGENDA

There were no requested revisions to the agenda.

PUBLIC COMMENTS: None.

COMMITTEE CONSIDERATION: Motion was made by Lucy Rebeck, seconded by Jaime Garcia, and unanimously carried to approve the agenda as presented.

IV. PUBLIC COMMENTS

The Committee values public input and expects everyone in attendance to give full and courteous attention to each speaker. Members of the community wishing to address the Committee about items on the agenda or items not on the agenda may do so.

Speakers wishing to address the Committee should stand and give your name. Speakers are requested to limit comments to three (3) minutes; individual speakers may not give their time away to another spokesperson. The Chairperson or President may limit the total time for public input on each agenda item to not more than the (10) speakers or one-half (1/2) hour maximum.

Members of the public may bring before the Committee, matters that are not listed on the agenda. The Committee may refer such a matter to the Manager or designee or take under advisement, but shall not take action at that time. The matter may be placed on the agenda of a subsequent meeting for action or discussion by the Board.

PUBLIC COMMENTS: None.

COMMITTEE CONSIDERATION: None.

V. APPROVAL OF MINUTES – October 5, 2011

There were no requested revisions to the minutes.

PUBLIC COMMENTS: None.

COMMITTEE CONSIDERATION: Motion made by Steve Hovey, seconded by Sue Hoerber, and unanimously carried to approve the October 5, 2011 minutes as presented.

VI. CORRESPONDENCE

The Manager and the Chair reviewed the following correspondence:

- 1.) November 2011 Special Notice: Risk Management & Coverage for Vacant Property
- 2.) December 30, 2011: C&C Committee welcome letter to Craig Frame of RSIA/Murrieta Valley USD from Chairperson Steve Salvati

PUBLIC COMMENTS: None.

COMMITTEE CONSIDERATION: None.

VII. CLOSED SESSION

In accordance with Government Code Sections 54956.9 and 54956.95, the meeting went into Closed Session at 9:41 a.m. and came out at 10:31 a.m.

PUBLIC COMMENTS: None.
COMMITTEE CONSIDERATION: Motion was made by Daniel Whitfield, seconded by Jaime Garcia, and unanimously carried to approve going into Closed Session at 9:41 a.m.

VIII. OPEN SESSION

PUBLIC COMMENTS: None.
COMMITTEE CONSIDERATION: Motion was made by Lucy Rebuck, seconded by Daniel Whitfield, and unanimously carried to approve going into Open Session at 10:31 a.m.

The Chair reported that while in closed session all items were authorized, denied, ratified, deferred or reviewed as follows:

A. SPECIAL CLAIM CONSIDERATION/REQUESTS/APPEALS:

1.) Rivera vs. El Rancho USD
COMMITTEE CONSIDERATION: Denied.

B. CLAIM SETTLEMENTS:

At the time the agenda was prepared there were no claim settlements to present.
COMMITTEE CONSIDERATION: None.

C. LARGE LOSS REPORT:

- | | |
|----------------------------|----------------------------|
| 1. Poway SD | 23. Hacienda La Puente USD |
| 2. Los Alamitos SD | 24. Hacienda La Puente USD |
| 3. Desert Sands SD | 25. Victor Valley Un. HSD |
| 4. Temecula Valley SD | 26. La Habra City SD |
| 5. Perris Un. HSD | 27. Poway USD |
| 6. Murrieta Valley SD | 28. Oceanside USD |
| 7. William S Hart Un. HSD | 29. Perris Un. HSD |
| 8. Rialto SD | 30. Riverside COE |
| 9. Poway SD | 31. Coachella Valley SD |
| 10. Orange SD | 32. Desert Sands SD |
| 11. Val Verde SD | 33. Santee SD |
| 12. Desert Sands SD | 34. South Bay Un. SD |
| 13. Desert Sands SD | 35. Antelope Valley STA |
| 14. Beaumont SD | 36. Vista USD |
| 15. Val Verde SD | 37. William S Hart Un. HSD |
| 16. Victor Valley Un. HSD | 38. Fontana USD |
| 17. William S Hart Un. HSD | 39. ABC USD |
| 18. El Rancho USD | 40. Oceanside USD |
| 19. Los Alamitos SD | 41. Palm Springs USD |
| 20. Alvord USD | 42. Beaumont USD |
| 21. Desert Sands SD | 43. Riverside COE |
| 22. Meniffee Un. SD | 44. Val Verde USD |
| | 45. Val Verde USD |

COMMITTEE CONSIDERATION: None.

D. CLAIM UPDATES NEW/SERIOUS REPORTS:

1.) Vasquex vs. Jurupa USD, et al.
 COMMITTEE CONSIDERATION: None.

F. TRIALS:

The Claims Administrator provided information on pending trials, trial updates and trial results for Committee information.

Pending Trials

- | | |
|--|---------------------------------------|
| 1. Johnson vs. Poway USD | 3. Harper-Thornton vs. Poway USD |
| 2. Nguyen vs. Garden Grove USD, et al. | 4. Holguin vs. Hacienda La Puente USD |

Trial Updates

- | | |
|--|--|
| 1. Prieto vs. Murrieta Valley USD | 9. Kelton vs. Perris Union HSD |
| 2. Rodriguez vs. William S. Hart Union HSD | 10. Khachatourian vs. Hacienda La Puente USD |
| 3. Bartlett vs. Desert Sands USD | 11. Levingston vs. Rialto USD |
| 4. Bryant vs. Garden Grove USD | 12. Meza vs. Lancaster SD |
| 5. Carmi vs. Irvine USD | 13. O'Brien v. E. Whittier City SD, et al. |
| 6. Chase vs. Keppel Union SD | 14. Owens vs. Poway USD |
| 7. Donaldson vs. Keppel Union SD, et al. | 15. Retamar-Taveras, et al vs. Val Verde USD, et al. |
| 8. Gillespie vs. Desert Sands USD | |

Trial Results

At the time the agenda was prepared there were no Trial Results to present.
 COMMITTEE CONSIDERATION: None.

G. COVERAGE OPINIONS:

The Committee reviewed the below coverage opinions and took action accordingly.

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|---|---|
| 1. Wattar vs. Palmdale SD (D) | 5. Corser vs. Coachella Valley USD |
| 2. Yoguez vs. William S. Hart Union HSD | 6. Jordan vs. Lancaster SD |
| 3. Chambers vs. Poway USD | 7. Kalous vs. William S. Hart Union HSD |
| 4. Cline vs. California Military Institute & Perris Union HSD | 8. Magill vs. Hemet USD |
| | 9. Vance et al vs. Apple Valley USD |
- COMMITTEE CONSIDERATION: The Committee approved all coverage opinions as recommended.

IX. PROPERTY CLAIM SETTLEMENT AUTHORIZATION REQUESTS

At the time the agenda was prepared there were no property claim requests.

PUBLIC COMMENTS: None.
 COMMITTEE CONSIDERATION: None.

X. CLAIMS PAID REPORT

The Committee will review the following Closed and Settled Claims Report from September 1 – November 30, 2011:

Claim#	Incident Name	Claimant Type	Insurer Name
5005-01-00025	Amelco Construction	GL: Breach of Contract	W. San Gabriel L/P SIA
2030-07-00014	Wilson, Justin	GL: General Liability (GL)	William S. Hart Un. HSD
415212	Booth, Mark	GL: Employment Liability	Hacienda La Puente USD

1211-08-00001	Hacienda La Puente SD	FP: Fire	Hacienda La Puente USD
5030-08-00004	Nickerson, Jocelyn	GL: General Liability (GL)	OTPA SCR
413395	Bermudez, Ernesto	GL: General Liability (GL)	El Rancho USD
417582	Daniel, Marshe	GL: General Liability (GL)	N. Orange County L/P SIA
412366	Mannion, Trevor	GL: General Liability (GL)	OTPA SCR
5024-09-00001	Perez, Jesus	GL: General Liability (GL)	OTPA SCR
421010	Rialto USD	FP: Theft	OTPA SCR
411785	Digiacinto, Lauren	GL: General Liability (GL)	RSIA
423437	Vernon, Alyssa	GL: General Liability (GL)	SIRMA II
419047	Dubose, Dorothy	GL: Employment Liability	Victor Valley Un. HSD
419741	Leicht, Sean	GL: General Liability (GL)	William S. Hart Un. HSD
426576	Gallo, Stephanie	GL: General Liability (GL)	Hacienda La Puente USD
425519	Hawks, Ryan	GL: General Liability (GL)	RSIA
433976	DeBruhl, Duneen	GL: Employment Liability	Victor Valley Un. HSD
446627	Fontana USD	FP: Water	Fontana USD
443451	Hacienda La Puente SD	FP: Wind	Hacienda La Puente USD
446187	Rialto USD	FP: Theft	OTPA SCR
438153	Rialto USD	FP: Theft	OTPA SCR
447203	Snowline Joint USD	FP: Water	OTPA SCR
436238	Orange USD	FP: Fire	Orange USD
448119	Temecula Valley USD	FP: Water	RSIA
442498	Lancaster SD	FP: Water	SIRMA II
445926	Vista USD	FP: Fire	Vista USD
452773	Fontana USD	EQB: Equipment Breakdown	EQB Deductible - SCR
452907	South Bay Union SD	FP: Theft	South Bay Un. SD

PUBLIC COMMENTS: None.
 COMMITTEE CONSIDERATION: Motion was made by Daniel Whitfield, seconded by Judy Miller, and unanimously carried to ratify the final disposition of the above stated claims.

XI. OTPA AUDIT REPORT

The Excess Claims Director audits the Authority’s members’ TPAs on a bi-annual basis. At the October 5, 2011 Claims and Coverage Committee meeting, the Excess Claims Director reported that he had completed the audits for OTPAs utilized by SCR members and that he would provide a summary at the next meeting.

Tony Hayes reported that individual reports were mailed to applicable districts. Tony noted general deficiencies in the areas of adequate reserving, initial investigations, and data security and discussed remedial actions that will be

implemented or suggested. He also discussed the importance of an OTPA seeing the big picture of SCR rather than only focusing on the MRL they handle as this lays the groundwork for what goes up into SCR. He stated he would be reaching out to OTPAs to help improve consistency of data and coding.

PUBLIC COMMENTS: None.
COMMITTEE CONSIDERATION: None.

XII. ACCIDENT MED-PAY PROGRAM (AMP)

AMP is self-funded, optional, and secondary; to be used at the discretion of the district. Consistent with the objective of the program, districts are encouraged to use it only if they feel they have some exposure to litigation for the injury occurring.

AMP Incidents report valued as of 11/30/2011 was enclosed in the agenda packet for review. The Manager noted continued appropriate use of the program.

PUBLIC COMMENTS: None.
COMMITTEE CONSIDERATION: None.

XIII. REVISED DEFENSE ATTORNEY APPLICATIONS

The Authority maintains an Approved Defense Attorney Panel to ensure appropriate legal counsel for the membership while controlling litigation expenses. Revisions to the Defense Attorney Panel Application were made; there are now 2 applications, one for new firms and one for new attorneys from existing firms.

PUBLIC COMMENTS: None.
COMMITTEE CONSIDERATION: Motion was made by Daniel Whitfield, seconded by Nancy Mefford, and unanimously carried to recommend Board approval of new forms.

XIV. INFORMATION REPORTS

MEMBER COMMENTS: None.

MANAGER COMMENTS: The Manager welcomed new members and thanked all the members for their continued service and dedication.

OTHER COMMENTS: None.

XV. AGENDA ITEMS NEXT MEETING

The next meeting is scheduled for April 4, 2012 at 9:30 a.m. in Corona, California at the Ayres Inn Corona East. Scheduled agenda items are:

- Closed Session – Claims
- AMP Incident Report
- Claims Paid Report
- Defense Counsel Panel Review

XVI. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 11:02 a.m.

PUBLIC COMMENTS: None.
COMMITTEE CONSIDERATION: Motion was made by Daniel Whitfield, seconded by Judy Miller, and unanimously carried to adjourn at 11:025 a.m.