



President
Mr. Dave Warren
City of Placerville

Vice President
Ms. Liz Ehrenstrom
City of Oroville

Treasurer
Mr. Tim Sailsbery
City of Willows

Secretary
Ms. Corey Shaver
City of Nevada City

NCCSIF CLAIMS COMMITTEE TELECONFERENCE MEETING AGENDA

Date: Thursday, May 19, 2016
Time: 10:30 a.m.
Location: Teleconference - Multiple Locations

A – Action
I – Information

1 – Attached
2 – Hand Out
3 – Separate Cover
4 – Verbal
5 – Previously Mailed

This Meeting Agenda shall be posted at the address of the teleconference locations shown below with access for the public via phone/speakerphone.

1. City of Ione - 1 East Main Street, Ione, CA 95640
2. City of Jackson - 33 Broadway, Jackson, CA 95642
3. City of Oroville - 1735 Montgomery Street, Oroville, CA 95965
4. City of Placerville - 3101 Center Street, Placerville, CA 95667
5. City of Willows - 201 North Lassen Street, Willows, CA 95988
6. City of Yuba City - 1201 Civic Center Boulevard, Yuba City, CA 95993

MISSION STATEMENT

The Northern California Cities Self Insurance Fund, or NCCSIF, is an association of municipalities joined to protect member resources by stabilizing risk costs in a reliable, economical and beneficial manner while providing members with broad coverage and quality services in risk management and claims management.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AS POSTED

A 1

D. PUBLIC COMMENTS

This time is reserved for members of the public to address the Claims Committee on matters pertaining to NCCSIF that are of interest to them.

pg. 3 **E. CONSENT CALENDAR**

A 1

All matters listed under the consent calendar are considered routine with no separate discussion necessary. Any member of the public or the Committee may request any item to be considered separately.

- | | |
|--------|---|
| pg. 4 | 1. Claims Committee Meeting Minutes - September 24, 2015 (Draft) |
| pg. 10 | 2. Claims Committee Special Meeting Minutes - December 10, 2015 (Draft) |
| pg. 12 | 3. Claims Committee Special Meeting Minutes - February 9, 2016 (Draft) |
| pg. 14 | 4. Claims Committee Special Meeting Minutes - March 3, 2016 (Draft) |
| pg. 16 | 5. Claims Committee Meeting Minutes - March 31, 2016 (Draft) |



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- pg. 19 **F. CLOSED SESSION TO DISCUSS PENDING CLAIMS** **A 2**
(Per Governmental Code Section 54956.95)
*REQUESTING AUTHORITY

Workers' Compensation

1. NCWA-556141 v. Folsom*
2. NCWA-551649 v. Folsom*
3. NCWA-555951 v. Lincoln*
4. NCWA-556295 v. Oroville*

- G. REPORT FROM CLOSED SESSION** **I 4**
The Committee will announce any reportable action taken in closed session

- pg. 20 **H. ROUND TABLE DISCUSSION**
The floor will be open to Committee members for any topics or ideas they would like to address.

I. ADJOURNMENT

UPCOMING MEETINGS

- Risk Management Committee Meeting - June 9, 2016
- Board of Directors Meeting - June 9, 2016
- Police Risk Management Committee Meeting - August 4, 2016
- Claims Committee Meeting - September 29, 2016
- Executive Committee Meeting - September 29, 2016

Per Government Code 54954.2, persons requesting disability related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact Raychelle Maranan at Alliant Insurance Services at (916) 643-2712.

The Agenda packet will be posted on the NCCSIF website at www.nccsif.org. Documents and material relating to an open session agenda item that are provided to the NCCSIF Claims Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2180 Harvard Street, Suite 460, Sacramento, CA 95815.

Access to some buildings and offices may require routine provisions of identification to building security. However, NCCSIF does not require any member of the public to register his or her name or to provide other information, as a condition to attendance at any public meeting and will not inquire of building security concerning information so provided. See Government Code section 54953.3



Agenda Item E.

CONSENT CALENDAR

ACTION ITEM

ISSUE: The Claims Committee reviews items on the Consent Calendar, and if any item requires clarification or discussion a Member should ask that it be removed for separate action. The Committee should then consider action to approve the Consent Calendar excluding those items removed. Any items removed from the Consent Calendar will be placed later on the agenda in an order determined by the Chair.

RECOMMENDATION: Adoption of the Consent Calendar after review by the Committee.

FISCAL IMPACT: None.

BACKGROUND: Routine items that generally do not require discussion are regularly placed on the Consent Calendar for approval.

ATTACHMENT(S):

1. Claims Committee Meeting Minutes - September 24, 2015 (Draft)
2. Claims Committee Special Meeting Minutes - December 10, 2015 (Draft)
3. Claims Committee Special Meeting Minutes - February 9, 2016 (Draft)
4. Claims Committee Special Meeting Minutes - March 3, 2016 (Draft)
5. Claims Committee Meeting Minutes - March 31, 2016 (Draft)



**MINUTES OF THE
NCCSIF CLAIMS COMMITTEE MEETING
ROCKLIN EVENT CENTER, ROCKLIN, CA
SEPTEMBER 24, 2015**

MEMBERS PRESENT

Bruce Cline, City of Folsom
Michael Daly, City of Jackson
Russell Hildebrand, City of Rocklin

MEMBERS ABSENT

Michelle Pellegrino, City of Dixon
Paula Islas, City of Galt

GUESTS & CONSULTANTS

Marcus Beverly, Alliant Insurance Services	Dori Zumwalt, York Risk Services
Michael Simmons, Alliant Insurance Services	Ben Burg, York Risk Services
Raychelle Maranan, Alliant Insurance Services	Cameron Dewey, York Risk Services
	Mike Berndt, York Risk Services

A. CALL TO ORDER

Mr. Bruce Cline called the meeting to order at 10:35 a.m.

B. ROLL CALL

Roll call was made and the above mentioned members were present constituting a quorum.

C. APPROVAL OF AGENDA AS POSTED

A motion was made to approve the Agenda as posted.

Motion: Michael Daly

Second: Russell Hildebrand

Motion Carried

Ayes: Cline

Nays: None.

D. PUBLIC COMMENTS

No public comments were made.



E. CLOSED SESSION

Pursuant to Government Code Section 54956.95, the Committee recessed to closed session at 10:36 a.m. to discuss the following claims:

Liability

1. Hammond v. City of Red Bluff
2. Haught v. City of Anderson

Workers' Compensation

1. Cummings v. City of Marysville
2. Jellsey v. City of Yuba City
3. Ellefson v. City of Dixon
4. Wood v. City of Elk Grove

F. REPORT FROM CLOSED SESSION

The Committee reconvened to open session at 11:14 a.m.

Mr. Cline announced that the Committee provided direction to the Program and Claims Administrators for the claims referenced above.

G. CONSENT CALENDAR

1. Claims Committee Meeting Minutes - May 21, 2015
2. Claims Committee Special Meeting Minutes - June 18, 2015
3. Claims Committee Special Meeting Minutes - August 19, 2015

A motion was made to approve the Consent Calendar as presented.

Motion: Russell Hildebrand

Second: Michael Daly

Motion Carried

AYES: Cline

NAYS: None.

H. REVISIONS TO POLICY AND PROCEDURE A-9: DEFENSE COUNSEL SELECTION

Mr. Marcus Beverly reported that NCCSIF's Policy and Procedure (P&P) A-9 - Defense Counsel Selection was extensively reviewed by him and Mr. Bruce Cline, Chair of the Claims Committee. Mr. Cline made the most of the recommended changes. The proposed revisions were subsequently reviewed by NCCSIF Legal Counsel, Byrne Conley.

The key components of the proposed changes are as follows:

- Members to use only attorneys and investigators on the Approved List. Attorney and investigator selection should be recommended by the Claims Committee and approved by the Executive Committee, rather than the full Board.
- A new section was added that addresses partners, associates and paralegals working with an attorney on the Approved List. This section provides more clarity to question and practice that often arises.
- It identifies the Claims Administrator's role and the role of the Member City. The client is the City and should control the key decisions and settlement authority.
- Adds that a City Attorney or Contract City attorney or members of his/her office may not defend claims against the City for whom they are City Attorney but could defend another City.
- A new section was added for use of attorney prior to litigation and during the pendency of a disputed coverage issue. This section provides as an explanation and not an expansion of rights under the Memorandum of Coverage (MOC).

Mr. Cline handed out an outline that summarizes the proposed layers for adding attorneys and the decision level with comparison to the current policy and procedure. Mr. Cline indicated member city involvement early on is important and the new policy and procedure provides some accountability measure from the city level. Any coverage matter dispute still lies at the Board level.

Mr. Beverly requested three changes to the document presented and noted the amended recommendation as follows:

- Under Defense Counsel Selection, Number 3, last sentence of last paragraph to read: "If time does not permit approval by the Executive Committee, the Administrator may authorize assignment of a case(s) and shall report the assignment to the Claims Committee **and Executive Committee** at their next committee meetings."
- Under Payment for Attorneys Pre-Litigation and Pending a Coverage Decision, Number 2, second paragraph, to strike out "*See the Underlying Memorandum of Coverage at Section 11(b).*" and the second sentence to read: "2) the Member City has incurred legal expenses with counsel qualifying, to strike out "*under sections 1-3 above*" and replaced it with "**under this policy**", then NCCSIF will reimburse the Member City for its actual expenditures for counsel, up to the approved rates.

The Committee discussed the proposed revisions.



A motion was made to approve the revisions to P&P A-9: Defense Counsel Selection as presented with three minor typos as noted, and recommended for Executive Committee approval.

Motion: Russell Hildebrand
Ayes: Cline
Nays: None.

Second: Michael Daly

Motion Carried

I. REVISIONS TO POLICY AND PROCEDURE L-5: LIABILITY LITIGATION MANAGEMENT PLAN

Mr. Marcus Beverly indicated as with the recommended changes to P&P A-9, similar changes to P&P L-5 must be made to keep the policy consistent in specifying who approves changes to the Approved List of counsel and investigators. The Liability Litigation Management Plan is meant to provide assigned counsel guidelines for managing NCCSIF claims and for use of partners, associates, and paralegals in P&P L-5.

A correction was noted under Section A, last paragraph to delete the reference to the “The JPA Legal Counsel” and to read: “Adding or deleting an attorney to or from the defense panel will require recommendation by a Member City. The Claims Administrator will review the recommended firm and/or individual per P&P A-9 and submit a written recommendation to the Claims Committee and subsequently the Executive Committee for approval.”

A motion was made to approve the revisions to P&P L-5: Liability Litigation Management Plan as presented with minor change as noted, and recommended for Executive Committee approval.

Motion: Michael Daly
Ayes: Cline
Nays: None.

Second: Russell Hildebrand

Motion Carried

J. APPROVAL OF NCCSIF DEFENSE ATTORNEY LIST FOR LIABILITY

Mr. Marcus Beverly indicated the City of Folsom recommended the addition of the following partners in the law firm of Kronick, Moskovitz, Tiedemann and Girard to the NCCSIF Liability Counsel Approved List:

1. Jonathan P. Hobbs - recommended for more specialized cases involving potential coverage issues such as inverse or other land use disputes.
2. Christopher Onstott - recommended for more specialized cases involving potential coverage issues such as inverse or other land use disputes.
3. David W. Tyra - recommended for employment practices litigation
4. Kristianne T. Seargeant - recommended for employment practices litigation



A motion was made to approve addition of Jonathan P. Hobbs, Christopher Onstott, David W. Tyra, and Kristianne T. Seargeant from Kronick, Moskovitz, Tiedemann and Girard law firm to the Liability Counsel Approved List, and recommended for Executive Committee approval.

Motion: Michael Daly
Ayes: Cline
Nays: None.

Second: Russell Hildebrand

Motion Carried

K. APPROVAL OF NCCSIF DEFENSE ATTORNEY LIST FOR WORKERS' COMPENSATION

Mr. Marcus Beverly indicated York Risk Services recommended the addition of Kurt M. Petersen from D'Andre, Peterson Bobus & Rosenberg to the NCCSIF Defense Attorney Approved List for Workers' Compensation.

Mr. Ben Burg from York Risk Services provided more background information about Kurt Petersen and indicated that this law firm is the largest defense attorney in the Sacramento County.

A motion was made to approve addition of Kurt M. Petersen from D'Andre, Peterson Bobus & Rosenberg to the NCCSIF Defense Attorney Approved List, and recommended for Executive Committee approval.

Motion: Michael Daly
Ayes: Cline
Nays: None.

Second: Russell Hildebrand

Motion Carried

L. REVIEW OF WORKERS' COMPENSATION (WC) CLAIMS AUDIT AS OF MAY 2015

L.a. Presentation of WC Claims Audit

Due to time constraint, the Committee requested to table this item as it will be covered during the Executive Committee Meeting which will immediately follow this meeting.

L.b. York Risk Services Response to WC Claims Audit

Due to time constraint, the Committee requested to table this item as it will be covered during the Executive Committee Meeting which will immediately follow this meeting.

M. 2015 Liability Claims Audit

Due to time constraint, the Committee requested to table this item as it will be covered during the Executive Committee Meeting which will immediately follow this meeting.



N. Round Table Discussion

Mr. Mike Berndt from York Risk Services introduced Mr. Cameron Dewey as the successor for Jennifer Nogosek as Unit Manager for the Liability Claims Department.

Discussion was made regarding staffing issue with York Risk Services that directly impacts the claims handling and management. The dissatisfaction was geared towards the Liability Claims staff. For the record, the Workers' Compensation Claims team was commended for their impeccable claims management specifically naming Ben Burg for providing an outstanding service.

O. ADJOURNMENT

This meeting was adjourned at 11:40 a.m.

Respectfully Submitted,

Corey Shaver, Secretary

Date

DRAFT



**MINUTES OF THE
NCCSIF CLAIMS COMMITTEE SPECIAL TELECONFERENCE MEETING
DECEMBER 10, 2015**

MEMBERS PRESENT

Bruce Cline, City of Folsom
Russell Hildebrand, City of Rocklin
Michelle Pellegrino, City of Dixon
Paula Islas, City of Galt

MEMBERS ABSENT

Michael Daly, City of Jackson

GUESTS & CONSULTANTS

Marcus Beverly, Alliant Insurance Services	Ben Burg, York Risk Services
Raychelle Maranan, Alliant Insurance Services	Kara Kennedy, York Risk Services

A. CALL TO ORDER

Mr. Bruce Cline called the meeting to order at 1:04 p.m.

B. ROLL CALL

Roll call was made and the above mentioned members were present constituting a quorum.

C. APPROVAL OF AGENDA AS POSTED

D. PUBLIC COMMENTS

No public comments were made.

E. CLOSED SESSION

The Committee discussed the following claim:

Workers' Compensation

1. Schwarzenberg v. City of Elk Grove



F. REPORT FROM CLOSED SESSION

Mr. Cline announced that the Committee provided direction to the Program and Claims Administrators for the claim referenced above.

H. CLOSING COMMENTS

None.

H. ADJOURNMENT

This meeting was adjourned at 1:08 p.m.

Respectfully Submitted,

Corey Shaver, Secretary

Date

DRAFT



**MINUTES OF THE
NCCSIF CLAIMS COMMITTEE SPECIAL TELECONFERENCE MEETING
FEBRUARY 9, 2016**

MEMBERS PRESENT

Bruce Cline, City of Folsom
Michael Daly, City of Jackson
Dave Warren, City of Placerville
Russell Hildebrand, City of Rocklin

GUESTS & CONSULTANTS

Marcus Beverly, Alliant Insurance Services	Ben Burg, York Risk Services
Raychelle Maranan, Alliant Insurance Services	Kara Kennedy, York Risk Services
	Sara Marshall, York Risk Services
	Teresa Utterback, York Risk Services

A. CALL TO ORDER

Mr. Bruce Cline called the meeting to order at 3:02 p.m.

B. ROLL CALL

Roll call was made and the above mentioned members were present constituting a quorum.

C. APPROVAL OF AGENDA AS POSTED

A motion was made to approve the Agenda as posted.

Motion: Dave Warren	Second: Michael Daly	Motion Carried
Ayes: Cline, Hildebrand		
Nays: None.		

D. PUBLIC COMMENTS

No public comments were made.

E. CLOSED SESSION

Pursuant to Government Code Section 54956.95, the Committee recessed to closed session at 3:03 p.m. to discuss the following claims:

Workers' Compensation

1. Schoessler v. City of Elk Grove
2. Tremaine v. City of Jackson
3. Mason v. City of Rocklin

F. REPORT FROM CLOSED SESSION

At 3:08 p.m. the Committee came out of Closed Session and noted report from closed session is not necessary.

H. CLOSING COMMENTS

Mr. Russell Hildebrand thanked everyone for being available for this meeting in such short notice.

H. ADJOURNMENT

This meeting was adjourned at 3:09 p.m.

Respectfully Submitted,

Corey Shaver, Secretary

Date

F. REPORT FROM CLOSED SESSION

At 1:36 p.m. the Committee came out of Closed Session and noted report from closed session is not necessary.

H. CLOSING COMMENTS

None.

H. ADJOURNMENT

This meeting was adjourned at 1:37 p.m.

Respectfully Submitted,

Corey Shaver, Secretary

Date

DRAFT



**MINUTES OF THE
NCCSIF CLAIMS COMMITTEE MEETING
ROCKLIN COMMUNITY CENTER, ROCKLIN, CA
MARCH 31, 2016**

MEMBERS PRESENT

Michael Daly, City of Jackson
Dave Warren, City of Placerville
Natalie Springer, City of Yuba City

GUESTS & CONSULTANTS

Marcus Beverly, Alliant Insurance Services
Raychelle Maranan, Alliant Insurance Services
Dori Zumwalt, York Risk Services
Cameron Dewey, York Risk Services
Lela Casey, York Risk Services

A. CALL TO ORDER

Mr. Dave Warren called the meeting to order at 10:02 a.m.

B. INTRODUCTIONS

C. APPROVAL OF AGENDA AS POSTED

A motion was made to approve the Agenda as posted.

Motion: Natalie Springer

Second: Michael Daly

Motion Carried

Ayes: Warren

D. PUBLIC COMMENTS

No public comments were made.

E. CLOSED SESSION

Pursuant to Government Code Section 54956.95, the Committee recessed to closed session at 10:03 a.m. to discuss the following claims:

Liability

1. Thomas vs Town of Paradise

Workers' Compensation

1. Seo vs Elk Grove
2. Haskins vs Town of Paradise



F. REPORT FROM CLOSED SESSION

The Committee reconvened to open session at 10:26 a.m.

Mr. Dave Warren indicated no formal announcement is necessary as direction was given to the Program and Claims Administrators for the claims reference above.

G. CONSENT CALENDAR

1. Claims Committee Meeting Minutes - September 24, 2015 (Draft)
2. Claims Committee Special Meeting Minutes - December 10, 2015 (Draft)
3. Claims Committee Special Meeting Minutes - February 9, 2016 (Draft)
4. Claims Committee Special Meeting Minutes - March 3, 2016 (Draft)

The current Committee members had reservation about approving minutes as they were not at the prior meeting, and since the two of the four committee members present at the time are no longer on the Claims Committee or employed by the city, approval of the minutes was tabled to next meeting until such time as the new Claims Committee members are present to have the necessary majority vote.

Tabled to next meeting until majority of the new Claims Committee are present to approve the minutes.

H. APPROVAL OF NCCSIF DEFENSE ATTORNEY LIST FOR LIABILITY

Mr. Marcus Beverly indicated Cameron Dewey from York Risk Services recommended the addition of Kevin J. Dehoff and Amie McTavish from Angelo, Kilday & Kilduff law firm to the NCCSIF Liability Counsel Approved List.

Mr. Cameron Dewey provided a brief background of the two attorneys.

A motion was made to approve addition of Kevin J. Dehoff and Amie McTavish from Angelo, Kilday & Kilduff law firm to the Liability Counsel Approved List, and recommended for Executive Committee approval.

Motion: Natalie Springer
Ayes: Warren

Second: Michael Daly

Motion Carried

I. REVIEW OF LIABILITY CLAIMS AUDIT AS OF NOVEMBER 2015

Ia. Presentation of Liability Claims Audit

Mr. Marcus Beverly indicated the Liability Claims Audit was conducted by Risk Management Services in November 2015. Mr. Beverly reviewed the highlights of the audit and noted overall the results meet or exceed the standards and no cited recommendation for improvement.



A motion was made to accept and file the Liability Claims Audit as of November 2015.

Motion: Natalie Springer
Ayes: Warren

Second: Michael Daly

Motion Carried

Ib. York Risk Services Response to Liability Claims Audit

Mr. Cameron Dewey provided his response to the Liability Claims Audit, and since there is no cited recommendation from the Claims Auditor for him to address, he in turn provided the Committee his approach in the overall claims handling and management of the NCCSIF Liability claims. Mr. Dewey opined early involvement of members is the key aspect for prompt resolution of claims and ensure that the claims adjuster proactively seek member's involvement.

J. Round Table Discussion

Mr. Beverly indicated there is a provision for performance evaluation of attorneys in the Liability Litigation Management Plan L-5 however, there is no formal process for doing the evaluation. Mr. Beverly reviewed the ERMA evaluation form to the Committee and indicated he plans to present a similar evaluation plan for NCCSIF. The self-performance is great as the attorney rates themselves.

O. ADJOURNMENT

This meeting was adjourned at 10:59 a.m.

Respectfully Submitted,

Corey Shaver, Secretary

Date



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Claims Committee Meeting
May 19, 2016**

Agenda Item F.

CLOSED SESSION TO DISCUSS PENDING CLAIMS

(Per Governmental Code Section 54956.95)

ACTION ITEM

ISSUE: Pursuant to Government Code Section 54956.95, the Committee will hold a Closed Session to discuss the following claims:

Workers' Compensation

1. NCWA-556141 v. Folsom*
2. NCWA-551649 v. Folsom*
3. NCWA-555951 v. Lincoln*
4. NCWA-556295 v. Oroville*

*REQUESTING AUTHORITY

FISCAL IMPACT: Unknown.

RECOMMENDATION: The Program Administrator cannot make a recommendation at this time, as the subject matter is confidential.

BACKGROUND: Confidential.

ATTACHMENT(S): None.



BACK TO AGENDA

Northern California Cities Self Insurance Fund
Claims Committee Meeting
May 19, 2016

Agenda Item H.

ROUND TABLE DISCUSSION

INFORMATION ITEM

ISSUE: The floor will be open to the Committee for discussion.

RECOMMENDATION: None.

FISCAL IMPACT: None.

BACKGROUND: The item is to the Claims Committee members for any topics or ideas that members would like to address.

ATTACHMENT(S): None.