

EXECUTIVE COMMITTEE MEETING

1911 San Miguel Drive, Suite 200
Walnut Creek, CA 94596

April 19, 2023, at 12:00 p.m.

MINUTES

EXECUTIVE COMMITTEE

MEMBERS PRESENT

Sukari Beshears, President, City of Brentwood
Michael Chandler, Vice President, City of Martinez
Tim Przybyla, Treasurer, EC Member-at-Large, Treasurer, City of Oakley
Charles Ching, EC Member-at-Large, City of San Pablo
Thomas Lloyd Smith, EC Member-at-Large, City of Antioch

EXECUTIVE COMMITTEE

MEMBERS ABSENT

Tracy Robinson, Ex-Officio, City of Lafayette

OTHERS PRESENT

Linda Cox, Chief Administrative Officer
Frank Williamson, Finance Manager
Erwin Chang, General Liability Manager
Jasmin Intravaia, Administrative Assistant
Melene Doty, General Liability Claims Adjuster
(joined by telephone for Closed Session)
Yvonne Ho-Piamonte, General Liability Claims Adjuster
(joined by telephone for Closed Session)
Kellie Murphy, Legal Counsel, Johnston Schacter & Lewis
(joined by telephone for Closed Session)

I. CALL TO ORDER

President, Sukari Beshears, called the meeting to order at 12:04 pm.

II. INTRODUCTIONS

III. APPROVAL OF THE AGENDA AS POSTED

Tim Przybyla moved, seconded by Charles Ching, to approve the agenda as posted.
The motion passed with an affirmative vote by all members present.

IV. PUBLIC COMMENTS

None

V. APPROVAL OF THE CONSENT CALENDAR

Michael Chandler moved, seconded by Tim Przybyla, to approve the Consent Calendar. The motion passed with an affirmative vote by all members present.

VI. ACTION ITEMS

1. 2023 Annual California Affiliated Risk Management Authority (CARMA) Audit

Erwin Chang presented the 2023 CARMA audit report.

Tim Przybyla moved, seconded by Michael Chandler to approve and move forward to the Board of Directors to accept and file the 2023 Annual CARMA Audit. The motion passed with an affirmative vote by all members present.

2. 2022 Public Risk Innovation, Solutions, and Management (PRISM) Independent Semi-Annual Audit

Barbara Esquivel presented the 2022 PRISM Audit.

Thomas Lloyd Smith moved, seconded by Charles Ching to recommend to the Board of Directors to accept and file the 2022 Workers' Compensation Claims Audit Report. Motion passed with an affirmative vote by all members present.

3. General Liability Defense Panel Update

Erwin Chang presented to the Executive Committee the request for the addition of Lewis Brisbois to the General Liability Defense Panel.

Charles Ching moved, seconded by Michael Chandler to approve and move forward to the Board of Directors for approval of the addition of Lewis Brisbois to the Defense Panel List. The motion passed with an affirmative vote by all members present.

4. Renewal to the General Liability Program Memorandum of Coverage (MOC) for Program Year 2023-24

Erwin Chang reported on the proposed changes to the General Liability Program MOC.

Michael Chandler moved, seconded by Tim Przybyla to approve the proposed changes to the General & Auto Liability Memorandum of Coverage and move forward to the Board of Directors for approval. The motion passed with an affirmative vote by all members present.

5. Renewal of the Workers' Compensation Program Memorandum of Coverage (MOC) for Program Year 2023-24

Barbara Esquivel presented and reported that there are no changes to the Worker's Compensation Program MOC.

Michael Chandler moved, seconded by Tim Przybyla, to approve the renewal of the Workers' Compensation Memorandum of Coverage and move forward to the Board of Directors for approval. The motion passed with an affirmative vote by all members present.

6. Renewal of the Vehicle Damage Program Memorandum of Coverage (MOC) for Program Year 2023-24

Erwin Chang presented and reported that there are no changes to the Vehicle Damage Program MOC.

Charles Ching moved, seconded by Michael Chandler to approve the proposed changes to the Vehicle Physical Damage Memorandum of Coverage and moved forward to the Board of Directors for approval. The motion passed with an affirmative vote by all members present.

7. Hybrid Meetings

Linda Cox presented the option for consideration of hybrid meetings to allow for more consistent attendance from all Board Members. Discussions followed.

Charles Ching moved, seconded by Michael Chandler to recommend moving to the Board of Directors no hybrid meetings but a teleconference is an option per Rule 82449. The motion passed with an affirmative vote by all members present.

8. Funding the Internal Revenue Code Section 115 Pension Trust

Linda Cox, Chief Administrative Officer, presented the proposal to transfer \$53,610 to the Public Agency Retirement Services, which brings the Trust to a 95% funding level.

Tim Przybyla moved, seconded by Charles Ching to recommend to the Board of Directors the transfer of \$53,610 to the Public Agency Retirement Services (PARS) Section 115 Trust on or after July 1, 2023, and reflect the transfer in the FY 2023/24 Budget. The motion passed with an affirmative vote by all members present.

9. Employee Assistance Program (EAP) Contract Renewal and Utilization Report

Frank Williamson presented the EAP Utilization Report for January 1, 2022, to December 31, 2022. He reported the proposed 4% rate increase from the current rate of \$3.89 to \$4.05 per employee per month.

Charles Ching moved, seconded by Tim Przybyla to approve the new service agreement with Claremont for the period of July 1, 2023, through July 1, 2026, and move forward to the Board of Directors for approval. The motion passed with an affirmative vote by all members present.

10. Strategic Planning Workshop Dates and Budget

Linda Cox presented the proposed cost and dates for the biannual Strategic Planning Workshop and training for Board Members.

Michael Chandler moved, seconded by Thomas Lloyd Smith to approve January 18 and 19 as the dates for the 2024 Strategic Planning Workshop and Board of Directors meeting, with an additional budget of up to \$10,000 and move forward to the Board of Directors for consideration and approval. The motion passed with an affirmative vote by all members present.

11. Auto Physical Damage Program Actuarial Report

Frank Williamson presented the actuarial report that Bickmore Actuary Services prepared. Frank will provide a spreadsheet with a side-by-side comparison showing the differences in costs with or without Ex Mods. Discussions followed.

No recommendation was made.

12. Cost of Living Adjustment – December 2021 to December 2022

Linda Cox presented the proposed 4.9% Cost of Living Adjustment included in the spending plan.

Tim Przybyla moved, seconded by Charles Ching to approve and recommend to the Board of Directors the 4.9% Cost of Living Adjustment to be effective July 1, 2023. The motion passed with an affirmative vote by all members present.

13. Staffing: Reclassifications and Additions

Linda presented the proposed staffing changes in the Administration and General Liability Departments in Municipal Pooling Authority. Discussions followed.

Tim Przybyla moved, seconded by Michael Chandler, to approve the staffing changes with the adjustments on the job descriptions. The motion passed with an affirmative vote by all members present.

VII. INFORMATIONAL ITEMS

1. Draft Spending Plan for Fiscal Year 2022-23
2. Building Funding Options
3. DRAFT Actuarial and EX-Mod Reports for Fiscal Year 2023-24
4. Workers' Compensation COVID-19 Legislation Update
5. Alliant Market Update
6. PRISM Market Update

VIII. MPA MANAGER'S REPORTS

7. Finance Department
No Discussion
8. General Liability Department
No Discussion
9. Workers' Compensation Department
No Discussion
10. Chief Administrative Officer
No Discussion

2:48 p.m. Executive Committee members took a break and then moved to Closed Session.

IX. CLOSED SESSION

1. **WC-014394 vs. City of Antioch.**
2. **Bates v. Rezentes - GL-014622**
3. **Daniels v. Walnut Creek-GL-013444**
4. **Public Employment**
Public Employee Performance Evaluation/Appointment/Dismissal/Release
Title: MPA Chief Administrative Officer
5. **Conference with Labor Negotiator**
Agency Designated Representatives:
MPA Board President and Board Vice President
Unrepresented Employee:
 1. MPA Chief Administrative Officer

Report Out from Closed Session:

- Closed Session Items 1, 2 and 3 Executive Committee gave direction for claim matters
- Closed Session Items 4 and 5, No Report Out

X. **ADJOURNMENT**- Meeting was adjourned at 4:35 p.m.