

MINUTES

EXECUTIVE COMMITTEE MEETING

November 17, 2016

SAN ANDREAS I/II CONFERENCE ROOMS

CALL TO ORDER

The meeting was called to order by President Steve Jorgensen at 9:40 a.m.

ATTENDANCE

Those in attendance were:

Executive Committee

Steve Jorgensen	President	Windsor Unified
Joe Pandolfo	Vice President	Rincon Valley Union
Mary Downey	Sec./Treasurer/Auditor	So. County Office of Ed.
Bob Raines	Director	Shoreline Unified
Sue Field	Director	Bennett Valley U.S.D.
Steve Eichman	Director	Santa Rosa City Schools
Eric Hoppes	Director	Wilmar Union

RESIG Staff

Rose Burcina	Executive Director
Chris Spencer	WorkersqCompensation Claims Manager
Suzanne Pelz	WorkersqCompensation Claims Supervisor
Will Davis	Director of Environmental Risk Services
Patty Baumunk	Director of Employee Benefits
Steven Fields	Property & Liability Risk Manager
Ronda Bergesen	Business Manager
Diane Vieyra	Executive Secretary

Guests

Eryn Elola	Alliant Insurance Services
Lola Nickell	Self-Insured Schools of CA (SISC)
Eugene Elliot	Bertrand, Fox, Elliot, Osman & Wenzel

APPROVAL OF AGENDA

A motion was made by Sue Field and seconded by Bob Raines to approve the agenda as presented. Ayes: Jorgensen, Pandolfo, Downey, Field, Raines, Eichman, and Hoppes. Motion passed unanimously.

INTRODUCTIONS & RECOGNITIONS

- Eugene Elliot was introduced and present to discuss the Closed Session item. (There was no conference call as anticipated.)

PUBLIC COMMENTS

None

ADJOURNMENT TO CLOSED SESSION

The meeting was adjourned to Closed Session at 9:41 a.m. by President Steve Jorgensen.

CLOSED SESSION

The following item was discussed:

Liability Claim . Jane Doe by and through her parent and natural guardian v Santa Rosa City Schools

U.S. District Court Case No. C16-01256-LB

ADJOURNMENT TO OPEN SESSION

The meeting was adjourned to Open Session at 10:22 a.m. by President Steve Jorgensen.

OPEN SESSION

No reportable action was taken during Closed Session.

(10:22 a.m. - Eric Hoppes left the meeting.)

CONSENT CALENDAR

- A. Minutes Approval – October 20, 2016**
- B. Warrants Issued – October 2016**
- C. Quarterly Investment Report – September 30, 2016**
- D. Routine Personnel Items**
 - **Resignation Workers' Compensation Senior Claims Examiner**
- E. Defense Counsel—McDowell, Shaw, Garcia & Mitzell**

Jorgensen noted the correction on the last page of the agreement (page 47 of the agenda packet), specifically the cost for photocopies - \$0.10/page and color copies - \$0.50/page. (The agreement in the agenda packet showed \$0.00 for photocopies and color copies.)

A motion was made by Sue Field and seconded by Bob Raines that the Executive Committee approve the Consent Calendar with the noted correction. Ayes: Jorgensen, Pandolfo, Downey, Field, Raines, and Eichman. Absent: Hoppes. Motion passed.

REPORT/DISCUSSION

F. RESIG's Strategic Planning Session Summary (Handout)

Rose Burcina mentioned that the summary was emailed out to the Executive Committee late yesterday afternoon. She apologized for not providing the summary earlier.

Burcina expressed her appreciation to the Executive Committee and RESIG Staff for the good interaction and participation throughout the Strategic Planning Session on October 20, 2016. The Strategic Planning Session minutes were included in the agenda packet; there were no comments, questions, or corrections requested.

The Strategic Plan Update was distributed and reviewed with the Executive Committee identifying the following items that have been worked on since the October Strategic Planning Session:

1. A draft Strategic Plan Overview was included in the update/handout (page 3 and 4). The five (5) focus areas are- Technology; Finance and Facility; Human Resources and Professional Development; Government; and Member Services, which was added this year. Burcina explained that the main focus

of the Strategic Plan is to reduce risk and liability to RESIG's risk-sharing pool while offering superior training programs and services. Burcina highlighted the following day-to-day operational goals and projects on page 4 of the update/handout.

2. Burcina and staff have been working with Windsor Unified School District and SCOE to fill an in-house technology support position.
- Carryover items from the last Strategic Plan
 - Updating RESIG's Website . Staff has been working with the same vendor that assisted RESIG about 6-8 years ago. The budget remains unchanged from the last Strategic Plan.
 - Build and Implement a Facility Maintenance Plan
 - Present Investment Portfolio Options to the Board for Consideration
 - Update Job Descriptions
 - Update JPA Agreement
 - Update Bylaws and Policies
 - Update RESIG's Employee Handbook
 - Program Reviews - This item was specific to comments about when new programs are implemented that they be reviewed about a year later, and then regularly, to determine if the program is working out for RESIG's membership, e.g., Target Solutions, StopIt Programs.
 - Advocacy - There had been quite a bit of conversation about advocacy and how RESIG can be more involved in the local and state government pertaining to the operations of JPAs.
 - Member Services is a new focus area that was added.

Burcina asked the Executive Committee if there were any changes needed and reminded the Committee that the Strategic Plan is a living document and can be updated/changed when necessary.

There was discussion regarding the POPP (Post Offer Pre-Placement) policy issue that was presented during the September Executive Committee Meeting, and the handling of exceptions. Burcina clarified to Downey that this type of issue would fall into the project category of *Updating Policies* but with this case the Executive Committee directed staff to review the policy and to report back in January 2017. There were further comments about exceptions, a review process, policies that haven't been reviewed in years, and no formal mechanism in place to review policies until there's an issue. It was suggested that there be an administrative review to resolve these situations that don't quite fit with the regular procedures. Burcina will add another line item to have a regular review of policies. When reviewing policies the following questions will need to be determined:

- Is the policy that was adopted years ago still appropriate?
- When there are questions on policies what format/process should there be? Currently if there is a question or a request to change or amend a policy in any way, it is brought to the Executive Director's attention and forwarded to the Board if not resolved by the Executive Director. (Refer to Policy 1.1.103 Community Relations for specific details.)

Further discussion was held on the absence of a process or policy in place for a Member District to appeal to the Executive Committee when a hardship for paying deductibles exists. President Jorgensen explained stated that those issues should be brought to Rose Burcina's attention and she would present them to the Executive Committee for consideration because the Executive Director and staff are unable to act solely on this type of matter.

Burcina clarified the difference between the two items being discussed. The deductible for failing to have an applicant go through the Post-Offer, Pre-Placement (POPP) and the deductible for the replacement value of a bus considered to be totaled following an accident. The POPP item is a policy issue while the bus item is a coverage issue. While the difference was understood, a clear appeal process for hardships may be needed.

President Jorgensen requested that the issue of a process for a Member District to appeal to the Executive Committee, for deductible payment hardships, be reviewed in the Strategic Plan goal area, when reviewing and updating RESIG's policies. Jorgensen also requested staff to consider reviewing this item during the New Superintendent/CBO Orientation Workshops going forward.

Burcina stated that staff will review the policies for POPP and complaints to assure that the appeal mechanism is more obvious, listing the steps involved, including placing the issue on the agenda.

It was requested that staff review RESIG's policies and periodically review them as well to make sure they still apply over time, or need updating.

3. There was discussion regarding whether to take action on RESIG's Strategic Plan. Burcina reminded the Executive Committee that action can be taken on any discussion item listed on the agenda. Joe Pandolfo stated that adding staff is a separate issue from the plan and there is a process for adding staff or a position--part of the process to include demonstrating the fiscal impact, how the position will be paid, etc. Burcina explained that the reason for including the job descriptions in the handout was because she was directed to develop a staff position for the new goal area of Member Services during the Strategic Planning Session in October for the Executive Committee's consideration today. If the direction is not to add this new position then Burcina suggested that the Member Services goal area be paired down to whatever capacity the current staff is able to perform.

Bob Raines stated that he is currently dealing with a similar process with the Board of Directors at Shoreline Unified. He suggested providing the two options to demonstrate the services that will be provided by the new Member Services Manager vs. staff (should a Member Services Manager not be hired), and then to request direction from the Executive Committee. He appreciated the job descriptions but thought demonstrating the two options would be more informative.

Burcina responded to a few questions regarding the Member Services Manager position:

- The salary schedule for this position is that of RESIG's Business Manager, Telephonic Triage Nurse and Workers' Compensation Claims Supervisor.
- The job description and salary were comparable to like positions at other JPAs.
- The position is not at the same level as a department manager level.
- The Member Services Manager would report to the Executive Director.
- The Member Services Manager would not have support staff at this time.

Burcina mentioned to the Executive Committee that the title could be changed if they did not believe "manager" was appropriate, and suggested member services coordinator or specialist. Currently some of the items listed under the Member Services Manager position are fragmented by department, such as trainings and workshops. If the desire is to develop member services (training and education) to enhance its programs, RESIG will need additional staff as many items listed on the job description are currently not being done or are piece-mealed. Downey expressed interest in seeing more details for this position on how this would work and interface with what is currently being done.

A motion was made by Sue Field and seconded by Mary Downey that the Executive Committee approve RESIG's Strategic Plan 2016/17-2017/2018, excluding the job descriptions. Ayes: Jorgensen, Pandolfo, Downey, Field, Raines, and Eichman. Absent: Hoppes. Motion passed.

Burcina stated that at the end of the Strategic Planning Session there was discussion about moving forward with the hiring of in-house IT support and that was the reason Burcina and RESIG Staff have communicated with SCOE and Windsor USD, and the presentation of the job description. She understood direction had been given at that time to proceed with the hiring of an IT person for RESIG.

A motion was made by Sue Field and seconded by Bob Raines that the Executive Committee approve the job description on the Technology Systems In-House Specialist and the hiring for the position.

Sue Field expressed that this is a much needed position within the organization.

Discussion followed on the impact to program rates for the two new positions. Field reminded the group that according to previous discussion in the Strategic Planning Session that the IT position will be offset by limiting the cost of the current consultant from the IT vendor and Burcina confirmed \$0 additional financial impact once training of the in-house IT support tech is completed. Pandolfo stated that normally he likes to see a formal process spelling out the details but in this situation RESIG has a pretty desperate need for an IT person and supports moving forward.

Burcina was directed to bring back more information about what job duties the Member Services Manager position would and would not be done if the position is not implemented and to include the program rate impact for the districts at a future meeting.

Ayes: Jorgensen, Pandolfo, Downey, Field, Raines, and Eichman. Absent: Hoppes. Motion passed approving the job description and hiring of the Technology Systems In-House Specialist.

10:45 a.m. . Joe Pandolfo left the meeting.)

4. Burcina reported that there was discussion about the declining participation at the Joint Powers Board Meetings and the difficulty in obtaining a quorum. Burcina mentioned she had personally called ten board members and asked them to attend today's meeting.

During the Strategic Planning Session, there was discussion regarding teleconferencing as an option for board meetings and directed staff to get clarification from legal. RESIG Staff was informed that holding a meeting via teleconference is allowed by the Brown Act, Section 54953, and therefore it is an option. However, all voting will need to be done by roll call and the agenda would need to be posted at all the teleconference locations, including hotels, and therefore, the hotel room would need to be accessible to the public to attend the meeting as well. In addition, a quorum of members needs to participate from locations within Sonoma County and any action taken is to be publicly reported out. It does require a lot of advance planning. The main mistake made with Teleconferencing, Section 54953, according to Pat Wilson of School & College Legal Services, is that to rely on teleconferencing to obtain a quorum, you must make sure the majority of the members present are within the JPA's territory. RESIG Staff will clarify how this applies to Shoreline Unified in Marin County. Burcina mentioned one last thing that Wilson stated which is with teleconferencing you sometimes lose the culture of gathering everyone together and the discussions that occur; it's something you can't get when you're on the phone. Therefore, Burcina agreed with Wilson's recommendation to try and stay away from teleconferencing and continue to meet at least once or twice a year.

There was also discussion regarding district employees that call the Workersq Compensation injury line on issues that are not work-related (not a workersq compensation claim). If a district employee calls RESIG on the injury line, and they belong to RESIGq Health Plan, then they are provided with information on the Employee Assistance Program (EAP). This has always been a great resource for people. However, there are only 33 out of 45 members in RESIGq Health Program and therefore, thereq the population that RESIG is unable to refer out. Those districts that have CVT (Californiaq Valued Trust) have a different number to call for EAP assistance and that number has been given to RESIGq nurseq line to refer out. However, it was discovered that there are employees that have PERS but RESIG is unable to refer them to an EAP as they are unable to obtain information about that particular program.

As directed by the Executive Committee, RESIG Staff did research the cost of Purchasing an EAP for non-health plan members so they would have another resource. There are some variables- the number of visits, typically 3-6 visits/year, and the population that it would be quoted on, but the cost could range from \$1.50-\$5 per employee/per month.

It was clarified that the majority of member district employees have an EAP resource, itq just the employees who have PERS that RESIG is unable to assist. Burcina asked for direction from the Executive Committee as to whether they would like to obtain a quote for these employees that have PERS or are not members of the health plan. Eryn Elola offered to provide a quote for the select group. Burcina questioned whether the desire is for RESIG to pay for the coverage or help the school district get a plan through RESIG but they would pay for it. Although it was the districtsq decision to not be in a member of RESIGq Health Program it was suggested to only provide districts/employees with information on where the service could be purchased.

Burcina stated that PERS does have an EAP Program but RESIG does not have information to provide those employees. It was mentioned that there was only one district with PERS. RESIG does not have an obligation to assist them but it would be helpful to inform them where they could purchase EAP coverage, if they donq already have it.

Elola informed the Executive Committee that the CalPERS Program is a provider/vendor that is available to state employees. Another opportunity to obtain coverage would be through life & disability vendors. For those members who donq have access to EAP, life & disability vendors typically provide free EAP services. Elola recommended that if there is a need for EAP coverage, that life & disability vendors should be contacted first. If RESIG does not wish to offer EAP coverage as a whole then quotes can be offered on a district-by-district basis (on their own) so itq not a bundled product.

Discussion followed that RESIG has provided EAP contact information for health plan members and those districts participating in CVT. Considering that the one CalPERS district has an EAP option, even though RESIG is not familiar with it, that there is no further action or research on this topic necessary at this time. The Executive Committee thanked staff for looking into this matter.

G. Executive Director's Report

Rose Burcina reported the following:

- Job Description Project . The project was completed and the job description templates are available on RESIG's website. Burcina commended Kelly Cook for her time and effort she put forth in this project. Districts have been notified that the templates have been posted on RESIG's website.
- New Hire- RESIG has a Workers Compensation Senior Claims Examiner that will resign effective November 30th; her replacement- Jenifer Letherman will start December 1st. Letherman comes to RESIG from SCIF (State Compensation Insurance Fund).
- Recent Case Reviews from the California Court of Appeals regarding minor's claim for liability against school district for childhood sexual abuse is exempted from claims presentment requirement. Burcina wanted to bring this to the Executive Committee's attention that there was some recent caselaw about a sexual abuse case. She informed the Executive Committee that there is nothing that can be done about it at this time. This court determined that this case on sexual abuse could be heard beyond the current statutes. This could be VERY bad news for public entities in California if the court allows delays. Such delays will raise significant problems for public entities, especially for school districts in defending these cases.
- CASBO Magazine . Burcina pointed out the great article on *Futuristic Thinking*. There were a few interviews from superintendents who spoke about futuristic thinking.

BOARD COMMUNICATION

- BASIC Minutes- May 17, 2016; June 30, 2016; and August 11, 2016.

ADJOURNMENT

The meeting was adjourned by President Steve Jorgensen at 11:00 a.m.

SUBMITTED BY:

APPROVED BY:

Rose R. Burcina, Executive Director

Steve Jorgensen, President