



INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY

**MINUTES OF THE
CLAIMS COMMITTEE MEETING
NOVEMBER 15, 2016
9:30 A.M.**

A meeting of the Claims Committee was held on November 15, 2016, in Downey, California.

| Name | Member/Agency | Present | Absent |
|---------------------|------------------------|---------|--------|
| Nathalie Adourian | El Monte | n/a | n/a |
| Jill Buchholz | Redondo Beach | X | |
| Vicki Cross | Glendora | X | |
| Yvette Abich Garcia | Downey | | X |
| Sergio Ibarra | Bell | X | |
| Haydee Sainz | Lynwood (arrived 9:53) | X | |
| Alison Stevens | Hawthorne | X | |
| Chu Thai | Monterey Park | | X |

Others in Attendance:

RPA Beth Lyons
 Ashley O'Brian

Johnson Schachter & Lewis Luther Lewis (via phone)

Carl Warren & Company John Beringer

City of Glendora Cecilia Todd

1. CALL TO ORDER

Chair Jill Buchholz called the meeting to order at 9:46 a.m.

2. ESTABLISHMENT OF QUORUM/INTRODUCTIONS

Introductions took place and it was determined a quorum was present.

3. PUBLIC COMMENTS

There were no public comments.

4. APPROVAL OF AGENDA AS POSTED OR AMENDED

Motion was made by Vicki Cross, seconded by Jill Buchholz, and unanimously carried to approve the agenda as presented.

5. CONSENT CALENDAR

Motion was made by Vicki Cross, seconded by Alison Stevens, and unanimously carried to approve the Consent Calendar.

6. OPEN SESSION

A. Review Proposed Revisions for the Litigation Management Policies and Procedures LMPP

At its April 2015 meeting, the Board adopted extensive revisions to the Litigation Management Policies and Procedures (LMPP) which became effective July 1, 2015. At its meeting on July 14, 2016, the Committee considered a proposed language addition intended to clarify the definition of conflicts of representation for ICRMA defense counsel. The Committee recommended approval of the proposed change, and gave direction to RPA and Carl Warren staff to explore whether additional changes to the document were recommended.

After review, one additional change was proposed for Committee consideration. The Liability Program Manager recommended changing the travel billing provision, such that travel hours are billed at 50% of the normal hourly rate.

The revisions, if approved by the Board at its December 5 meeting, are recommended to take effect on January 1, 2017.

Motion was made by Alison Stevens, seconded by Vicki Cross, and unanimously carried to recommend the Board approve the changes, effective January 1, 2017.

B. Claims Committee Membership

With Nathalie Adourian's departure in October from the City of El Monte, the Committee currently has seven members, which include:

1. Jill Buchholz, Chair, Redondo Beach
2. Vicki Cross, Vice Chair, Glendora
3. Yvette Abich Garcia, Downey
4. Sergio Ibarra, Bell
5. Haydee Sainz, Lynwood
6. Alison Stevens, Hawthorne
7. Chu Thai, Monterey Park

Section 3.2.4 of both the Liability and Workers' Compensation Program Bylaws (Bylaws) outlines the Claims Committee membership structure as having a minimum of five and a maximum of nine members. As such, the Committee was asked to consider whether it wished

to solicit ICRMA members for interest in serving on the Committee, or keep the Committee membership at status quo.

Direction was given for staff to solicit interest in serving on the committee.

7. CLOSED SESSION

The Committee convened in closed session at 9:55 a.m. to discuss the following:

- A. Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): one potential case
- B. Discussion of Open Claims and Conference with Legal Counsel pursuant to Government Code Section 54956.95(a)
 - Simonek v. El Segundo
 - Medina v. El Monte
 - Hadsell v. Baldwin Park

8. REPORT FROM CLOSED SESSION

The Committee convened in open session at 10:50 a.m. and reported the following:

- One case: *Authority was granted to enter into a contract with the attorney, not to exceed \$2,000.*
- Simonek v. El Segundo: *Settlement authority was granted for a final settlement involving \$250,000 of ICRMA funds, for a total settlement of \$495,000*
- Medina v. El Monte: *Direction was given.*
- Hadsell v. Baldwin Park: *Authority was granted and direction was given.*

9. CLOSING COMMENTS

There were no closing comments.

10. ADJOURNMENT

The meeting was adjourned by general consensus at 10:55 a.m.