

MINUTES



EXECUTIVE COMMITTEE MEETING

WEDNESDAY, JULY 15, 2020

11:00 AM

CONFERENCE CALL

1 800-953-6486

Passcode 8677 747#

This meeting was conducted by teleconferencing. Locations were not provided as the Brown Act has been partially suspended due to Coronavirus (COVID-19). Members of the public could address the Committee by calling the number listed above.

I. CALL TO ORDER

II. ROLL CALL

OFFICERS & EXECUTIVE COMMITTEE:

SELMA UNIFIED SCHOOL DISTRICT
PACIFIC UNION ELEMENTARY SCHOOL DISTRICT
KINGS RIVER-HARDWICK UNION ELEMENTARY SCHOOL DISTRICT
KINGSBURG JOINT UNION ELEMENTARY SCHOOL DISTRICT
FIREBAUGH-LAS DELTAS JOINT UNIFIED SCHOOL DISTRICT
FOWLER UNIFIED SCHOOL DISTRICT
ISLAND UNION ELEMENTARY SCHOOL DISTRICT
KERMAN UNIFIED SCHOOL DISTRICT
KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT
LOS BANOS UNIFIED SCHOOL DISTRICT
SOUTHWEST TRANSPORTATION AGENCY

Larry Teixeira, President
Annette Machado, Vice President
Trish Singh, Secretary
Carol Bray, Accountant
Russell Freitas, Member at Large
May Yang, Permanent Member
Diane Augusto, Member at Large
Kraig Magnussen, Permanent Member
Rufino Ucelo, Member at Large
Amer Iqbal, Permanent Member
Gary Geringer, Member at Large

MEMBERS

ORANGE CENTER SCHOOL DISTRICT
PARLIER UNIFIED SCHOOL DISTRICT

Terry Hirschfield
Andrea Affrunti

ADMINISTRATORS & CONSULTANTS:

KEENAN & ASSOCIATES
KEENAN & ASSOCIATES
KNAK & COMPANY
POMS & ASSOCIATES

Tyler Houston, Account Executive
Donna Murry, Account Manager
Erik Knak, Third Party Administrator
Amy Dolson, Risk Manager

III. APPROVAL OF AGENDA

2020/2021-1

ACTION

The Executive Committee retains the right to change the order in which agenda items are discussed. Subject to review by the Executive Committee, the agenda is to be approved as presented. Items may be deleted or added for discussion only according to G.C. Section 54954.2

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Freitas with a second by member Magnussen and unanimously carried to approve the Agenda as presented. Absent: Member Amer Iqbal.

IV. PUBLIC COMMENTS

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The public may address the Executive Committee on any matter pertaining to the JPA that is not on the agenda. The President reserves the right to limit the time of presentation by individual or topic.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: None

V. CONSENT AGENDA

2020/2021-2

ACTION

The Executive Committee considered the following items within the Consent Agenda:

- Approval of Minutes of the May 27, 2020 Executive Committee Meeting as Emailed
- Approval of Expenditures for Quarter Ending June 30, 2020

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Freitas with a second by member Magnussen and unanimously carried to approve the Consent Agenda as presented. Absent: Member Amer Iqbal.

VI. CORRESPONDENCE

2020/2021-3

INFO

There was no correspondence to present

VII. CLAIMS

2020/2021-4

INFO

THIRD PARTY ADMINISTRATOR UPDATE

Erik Knak, Claims Administrator for the OSS presented the OSS Loss History Review – (Incurred) – 07-01-20 to the Executive Committee for their review, with a comparison to the 07-01-19 report. The highlights were - Years 2010/11, 2011/12, 2012/13, 2013/14, and 2015/16 have continued to have no open claims. Due to a late reported claim, reserves for 2015/16 increased by over \$39,000 from the year prior. 2017/18 has (2) open claims, 2018/19 has (3) open claims and is the best year for claim count and reserves during this reporting period. Year 2019/20 has started to see an increase in claim reserves from a wide variety of property claims with liability also increasing in both claim count and reserves. There is a total of (27) open claims, (1) more than from the year prior with total open reserves at \$483,000.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: None

VIII. UNDERWRITING

NCR UPDATE

2020/2021-5

INFO

The Account Executive, Tyler Houston provided the following information and recent updates on the NCR Program.

- AB 1384, Liability Protections for K-12 Schools was introduced on June 30 due to impending concerns about COVID related lawsuits with high hopes of making it to the Governor’s desk for his signature. It has a very strong backing from various groups and Local Education Agencies (LEAs). The intention of the bill is to provide limited liability protection to LEAs as they prepare their reopening plans for the 2020-21 year. The bill would not provide liability protection for gross negligence or reckless, intentional misconduct. As this is specifically related to liability, it would not affect Workers’ Comp coverage for LEA employees.

- NCR Executive Committee Meeting Summary. The Account Executive presented the meeting summary and mentioned Keenan Loss Control had prepared an IIPP COVID-19 Addendum that addresses infection control measures. He stated Risk Manager Amy Dolson had emailed the amendment out to the OSS members.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: None

Member Amer Iqbal arrived.

CYBER LIABILITY POLICY REVIEW & AMENDMENT

2020/2021-6

ACTION

The Account Executive provided a sample amendment to the OSS Cyber Liability Deductible Policy that will assist in clarifying how the new tiered cyber liability deductibles will apply on behalf of the membership. The amendment to the Cyber Liability Deductible Policy takes into consideration the Cyber Liability program’s new tiered deductible and inserts language referencing the \$50,000 deductible now included for districts with an ADA larger than 9,000. The amendment presented is to use a \$1,000 deductible for each member who might have a claim under the Cyber Liability coverage. The remaining \$24,000 or \$49,000 of the cyber deductible would be paid from the JPA loss fund. Other options suggested included a separate larger deductible for districts with 9,000 ADA or greater, or to require putting a cap on the amount to be paid out by the JPA and having the district incur the amount above or beyond that threshold.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: A motion was made by member Magnussen with a second by member Iqbal to approve the amendment that was presented, using a \$1,000 deductible for each member who might have a claim under the Cyber Liability coverage with the remaining \$24,000 or \$49,000 of the cyber deductible being paid from the JPA loss fund. Yea: Members Teixeira, Machado, Singh, Bray, Freitas, Yang, Magnussen, Ucelo, Iqbal, and Geringer. Nay: Member Augusto. Absent: None. Motion carried.

IX. FINANCIAL

TREASURER’S REPORT

2020/2021-7

ACTION

The OSS accountant, Carol Bray presented the Treasurer’s Report for the Quarter and Unaudited Year ending June 30, 2020 for review and consideration. Total operating revenues were at 100% with revenues of \$5,638,385 and operating expenses at 100% with expenditures of \$5,158,240. It was mentioned these were unaudited amounts and will be booked to the correct year, in addition to three more interest installments owed to the JPA by Fresno County.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Freitas with a second by member Magnussen and unanimously passed to accept the Treasurer’s Report as presented. Absent: None

2020/2021 FINAL POOL CONTRIBUTION SPREADSHEET

2020/2021-8

ACTION

The Account Executive presented the 2020/2021 final Pool Contribution Spreadsheet as invoiced, to the Executive Committee for their approval. At the Annual Board meeting in May, the Cyber Liability rate had not been finalized. The final version of the Pool Contribution Spreadsheet for OSS came in \$10,000 lower than what was originally presented.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Magnussen with a second by member Geringer and unanimously passed to accept the 2020/2021 Final Pool Contribution Spreadsheet as presented. Absent: None

X. ADMINISTRATION

ELECTION OF OFFICERS

2020/2021-9

ACTION

The current slate of OSS officers was nominated for reelection for the 2020/2020 year.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Magnussen with a second by member Iqbal and unanimously carried to reelect the current slate of officers for the 2020/2021 year. Absent: None

PAYMENT MODIFICATION OF THE SELF ASSESSMENT & REBATE CONSIDERATION 2020/2021-10

ACTION

The Account Executive reported on a recommended change to the delivery of a rebate to its members for use in paying their first year SELF assessment. After seeking additional counsel, it was determined the JPA's decision to make payment directly to SELF on behalf of its members may be problematic. A main concern by doing so, is having the JPA taking on the responsibility of working directly with SELF and not a precedent that would want to be set as the OSS and its current membership are no longer affiliated with their program. It is likely the assessment may be extended well past the current estimated 3 years and it is best to keep the lines between the current program and the SELF program very clear. It was proposed that in leu of paying SELF directly on behalf of the JPA membership, to simply provide each member with a rebate payment which they can use to satisfy their first assessment invoice. The payments would be calculated using the rate previously approved by the Board and the member districts' current ADA. By doing so, it will ensure there will be no fiscal change to what has already been approved and allow for this to be strictly a change in payment delivery.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Freitas with a second by member Magnussen and unanimously carried to pay a rebate to each OSS member, using the rate previously approved at the Board of Directors' meeting and their current ADA, recommending its use to go toward paying the 1st year SELF assessment invoice. Absent: None

BIENNIAL NOTICE/CONFLICT OF INTEREST CODE REVIEW

2020/2021-11

ACTION

The Authority reviewed the JPA Conflict of Interest Code. No revisions were necessary.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Magnussen with a second by member Machado and unanimously carried to approve the Conflict of Interest Code for OSS without changed. Absent: None

CLAIMS AUDIT SERVICES

2020/2021-12

ACTION

The Executive Committee reviewed the proposals of two firms who responded to the Request For Proposal for performing the OSS claims audit services as was sent out by the Account Manager, Donna Murry. After a discussion, it was decided to go with the firm of Risk Management Services.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Magnussen with a second by member Freitas and unanimously carried to have Risk Management Services perform the claims audit for the OSS for 2020. Absent: None

XI. RISK MANAGEMENT

OSS SAFETY & SECURITY GRANT PROGRAM

2020/2021-13

ACTION

The Risk Manager, Amy Dolson presented the OSS Safety & Security Grant Program to the Executive Committee which included the Terms and Conditions for applying for the grant in addition to the Grant Program Application for their final approval. There will be \$60,000 set away this year for the grant and moneys awarded will be based on a district's ADA. The Risk Manager clarified this was not a matching grant.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: Motion by member Machado with a second by member Yang and unanimously carried to implement the OSS Safety & Security Grant Program as presented. Absent: None

RISK MANAGEMENT UPDATES

2020/2021-14

INFO

The Risk Manager presented the updates on Risk Control services.

- Upcoming Title IX Basics Training with Megan Farrell – rescheduled with 2 virtual training sessions. All districts should have a representative attend the webinar.

Session 1 – Tuesday, July 21, 2020 from 9:30 AM to 11:00 AM

Session 2 – Tuesday, July 28, 2020 from 9:30 AM to 11:00 AM

An invite to the members who have not registered will be sent after the meeting.

RISK MANAGEMENT UPDATES Cont.

- Threat and Physical Security Complimentary Assessment – District Feedback
Those members who had a complimentary assessment, each from a different firm provided their feedback either by directly reporting on their experience or by a written narrative and read by the Risk Manager to the Committee. The districts receiving the complimentary security assessment and the firm performing those assessments appears below:
 - o Selma Unified School District – Poms & Associates, Risk Services
 - o Dinuba Unified School District - IMReady
 - o Laton Unified School District – Knowledge Saves Lives.

All had favorable comments from having a physical security assessment and discovered new areas for making their campuses safer.

PUBLIC COMMENTS: None

COMMITTEE CONSIDERATION: None

XII. INFORMATION

MEMBER COMMENTS

There were no comments

ADMINISTRATION COMMENTS

There were no comments

XIII. AGENDA ITEMS FOR NEXT MEETING

Members and others may suggest items for consideration at the next Executive Committee meeting on **Wednesday, October 14, 2020, Legends Tap House & Grill** (formerly Spike N Rail), 2910 Pea Soup Anderson Blvd, Selma, CA. Currently scheduled items include:

- OSS Loss History Report
- Approval of the Financial Management Information Report as presented by SETECH for the Fiscal Years ended June 30, 2019 and June 30, 2020.
- Approval of the Financial Audit for Years June 30, 2020 and 2019.
- Audited Treasurer’s Report for Year Ending June 30, 2020 and for Quarter Ending September 30, 2020.
- Approval of the Final Budget for 2020/2021.
- Approval of the Withdraw Reserve Accounts (WRA) of the Departing Districts
- Approval of the 1st Payment to Central USD from their WRA

XIV. ADJOURNMENT

With no further business, the meeting adjourned at 12:11 PM.

Americans with Disabilities Act:

The Organization of Self-Insured Schools, a Property & Liability JPA conforms to the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof. A request for disability-related modification or accommodation, in order to participate in a public meeting of the Organization of Self-Insured Schools Property & Liability JPA, shall be made to: Donna Murry, Account Manager, Keenan & Associates, P.O. Box 1404, Selma, CA 93662. Documents and materials relating to an open session agenda item that are provided to the O.S.S. Executive Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 3036 Thompson Ave; Selma, CA 93662.