

EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA)

**MINUTES OF THE UNDERWRITING COMMITTEE MEETING
OF May 17, 2021**

An ERMA Underwriting Committee Meeting was held on May 17, 2021. All portions of this meeting were conducted via Zoom in accordance with Government Code Section 54953(b). The meeting was conducted under Governor Gavin Newsom's Executive Order N-25-20, wherein public noticing of teleconference locations for each meeting participant is suspended.

COMMITTEE MEMBERS PRESENT: John Gillison, President, PARSAC
Truc Dever, Vice President, VCJPA
Stuart Schillinger, Treasurer, BCJPIA

COMMITTEE MEMBERS ABSENT: None

OTHERS PRESENT: Jennifer Jobe, Executive Director, ERMA
Maria De Leon, Sedgwick

1. CALL TO ORDER/ROLL CALL

The May 17, 2021 ERMA Underwriting Committee Meeting was called to order at 10:37 a.m. A roll call was taken, and it was determined a quorum was present.

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

Truc Dever moved to approve the agenda as posted. Seconded by Stuart Schillinger. A roll call was taken. The motion passed unanimously.

3. PUBLIC COMMENTS

None

4. CONSENT CALENDAR

Truc Dever moved to approve the Consent Calendar. Seconded by Stuart Schillinger. A roll call was taken. The motion passed unanimously.

5. MEMBERSHIP MATTERS

A. Review of Prospective New Member Applications – Redwood Empire Municipal Insurance Fund's (REMIF) Underlying Member Entities

Jennifer Jobe, Executive Director, provided an overview of the applications received from three underlying members of the Redwood Empire Municipal Insurance Fund (REMIF) for participation in ERMA effective July 1, 2021, at a \$250,000 self-insured retention (SIR), as follows:

The **City of Eureka** reported payroll of \$13.6M for the 2020 calendar year, 207 full-time

employees, and 96 part-time employees. The city has written personnel policies and procedures that are regularly reviewed by legal counsel and were adopted by City Council. The city is compliant with AB 1825 and SB 1343 training requirements and utilizes Liebert Cassidy Whitmore (LCW) to conduct training.

The **City of Rohnert** reported payroll of \$23M for the 2020 calendar year, 203 full-time employees, and 115 part-time employees. The city has written personnel policies and procedures and budgeted plans to update its policies in the 2021/22 fiscal year. The city is compliant with AB 1825 and SB 1343 training requirements.

The **City of Willits** reported payroll of \$3.2M for the 2020 calendar year, 40 full-time employees, and no part-time employees. The city has written personnel policies and procedures that have not been reviewed since 2009. The city plans to update its procedures in the 2021/22 fiscal year, which will be reviewed by legal counsel and adopted by City Council. The city is compliant with AB 1825 and SB 1343 training requirements and utilizes LCW to administer training.

A brief discussion ensued regarding the importance of members maintaining up-to-date policies and procedures, and for those documents to be reviewed and updated every three to five years. In addition, staff was requested to ensure members have access to resources such as policy templates, particularly when relevant new laws are enacted.

Truc Dever moved to recommend the Board approve: 1) the City of Eureka at a \$250,000 SIR, effective July 1, 2021; and 2) approve the Cities of Rohnert Park and Willits at a \$250,000 SIR, effective July 1, 2021, with the condition that the cities' personnel policies and procedures are updated, reviewed by legal counsel with public sector employment law expertise, and approved by each city's council no later than July 1, 2023. Seconded by Stuart Schillinger. A roll call was taken. The motion passed unanimously.

B. Review of Prospective New Member Applications – Yolo County Public Risk Management Insurance Authority (YCPARMIA) and Underlying Member Entities

Ms. Jobe stated the Underwriting Committee previously received and recommend for Board approval applications from the Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA) and five of its underlying members for participation in ERMA effective July 1, 2021, at a \$500,000 SIR. She subsequently noted that applications were received from five additional YCPARMIA underlying member entities for the same effective date and SIR.

Ms. Jobe provided an overview of the individual applications, as follows:

The **City of Winters** reported payroll of \$4.7M for the 2020 calendar year, 35 full-time employees, and 21 part-time employees. The city has comprehensive written personnel policies and procedures in place, which are regularly reviewed by legal counsel, and formally adopted by City Council. The city is compliant with AB 1825 and SB 1343 training mandates, utilizing Best, Best & Krieger, in December 2020, for all employees and City Council.

The **Capay Valley Fire Protection District** reported payroll of \$25,368 for the 2020 calendar year, no full-time employees, and three part-time employees. The district reported no incurred losses within the previous seven fiscal years and has issued a Statement of No Known Losses. The district has comprehensive written personnel policies and procedures in place that have not been reviewed by legal counsel but were formally adopted by the district's Commissioners. The district indicated it is scheduled to complete its AB 1825-compliant training on May 13, 2021, utilizing the California Department of Fair Employment and Housing's online training, after which the district will be in full compliance with training mandates. Ms. Jobe noted staff has not received confirmation whether the training had been completed.

The **Dunnigan Fire Protection District** reported payroll of \$225,099 for the 2020 calendar year, no full-time employees, and one part-time employee. The district reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The district has written personnel policies and procedures in place, which are not regularly reviewed by legal counsel, that have been adopted by the district's Board. The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The **Madison Community Services District** reported payroll of \$80,000 for the 2020 calendar year, two full-time employees, and one part-time employee. The district reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The district has no written personnel policies and procedures in place, nor is it compliant with AB 1825 and SB 1343 training mandates.

The **County of Yolo** reported payroll of \$137M for the 2020 calendar year, 1,456 full-time employees, and 423 part-time employees. The county has comprehensive written personnel policies and procedures in place, which are regularly reviewed by legal counsel, and formally adopted by the county's Board. The county is 80% compliant with AB 1825 and SB 1343 training mandates and continues to utilize Target Solution to complete its training.

Discussion ensued over concerns that county exposures appear to vary significantly from other members of ERMA, and the county's size as compared to the current largest member of ERMA. Based on those concerns, the Committee requested that if approved, the Executive Director and Risk Control Manager conduct a member review of the county following three years of its participation in ERMA.

John Gillison moved to recommend the Board approve the underlying members of YCPARMIA, as follows: 1) the City of Winters at a \$500,000 SIR, effective July 1, 2021; 2) The Capay Valley Fire Protection District, and the Dunnigan Fire Protection District at a \$500,000 SIR, effective July 1, 2021, with the condition the district's personnel policies and procedures are updated, reviewed by legal counsel with public sector employment law expertise, and approved by the district Boards, no later than July 1, 2023; 3) the Madison Community Services District at a \$500,000 SIR with the conditions the district's personnel policies and procedures are updated, reviewed by legal counsel with public sector employment law expertise, and approved by the district Boards, no later than July 1, 2023, and the district provides proof of compliance with state-mandated training requirements by August 31, 2021; and 4) the County of Yolo at a \$500,000 SIR, with the express

condition that any EPL claims be defended by an approved member of ERMA's defense panel. Seconded by Truc Dever. A roll call was taken. The motion passed unanimously.

6. CLOSING COMMENTS

A. Board of Directors

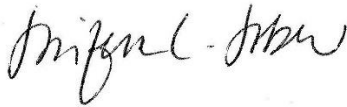
None

B. Staff

Ms. Jobe noted additional applications from underlying members of REMIF, YCPARMIA, and CSJVRMA will be presented at the next Underwriting Committee meeting.

7. ADJOURNMENT

The May 17, 2021, ERMA Underwriting Committee meeting adjourned at 12:11 p.m. by general consent.



Jennifer Jobe, Executive Director