



**EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA)  
UNDERWRITING COMMITTEE MEETING  
AGENDA**

**Tuesday, September 28, 2021  
11:00 a.m.**

**Zoom**

**Dial-in Number: (669) 900-6833  
Meeting ID: 813 5049 9500  
Passcode: 674760  
[Meeting Link](#)**

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All portions of this meeting will be conducted via teleconference in accordance with Government Code Section 54953.

Members of the public may observe and listen to the meeting via teleconference. No physical location will be available from which members of the public may observe the meeting and offer public comment. Public comments may be submitted in advance of the meeting by emailing Danielle Davis at [danielle.davis3@sedgwick.com](mailto:danielle.davis3@sedgwick.com). Emails can also be sent to Ms. Davis during the meeting and, if timely received, Ms. Davis will read or summarize the email to the Committee. Members of the public may also speak when public comment is requested at the beginning of the meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation to participate in this meeting, please contact Ms. Davis as early as possible, and preferably at least one full business day before the start of the meeting.

Documents and materials relating to an open session agenda item that are provided to the Committee will be available for public inspection. Please contact Ms. Davis.

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**Page    1.    CALL TO ORDER; ROLL CALL**

**2.    APPROVAL OF AGENDA AS POSTED (OR AMENDED)**

- 3.    PUBLIC COMMENTS** - The Public may submit any questions by contacting Danielle Davis at [danielle.davis3@sedgwick.com](mailto:danielle.davis3@sedgwick.com). This time is reserved for members of the public to address the Committee relative to matters of ERMA not on the agenda. No action may be taken on non-agenda items unless authorized by law.

**4.    CONSENT CALENDAR**

- 4                    \*A.    Minutes of the May 7, 2021, Underwriting Committee Meeting**

8            \*B. Minutes of the May 17, 2021, Underwriting Committee Meeting

12          \*C. Minutes of the May 25, 2021, Underwriting Committee Meeting

*Recommendation: Approval of the Consent Calendar.*

**5. MEMBERSHIP MATTERS**

17          \*A. Review of Prospective Member Application, City of Lindsay (CSJVRMA)

*Recommendation: Staff recommends the Underwriting Committee approve the City of Lindsay (CSJVRMA) at a \$25,000 SIR, effective July 1, 2021, with the condition the city's personnel policies and procedures are updated, reviewed by legal counsel with expertise in public sector employment law, and approved by City Council, no later than July 1, 2023.*

**6. CLOSING COMMENTS**

This time is reserved for comments by the Committee members and staff and to identify matters for future Committee business.

A. Committee

B. Staff

**7. ADJOURNMENT**

**CONSENT CALENDAR**

**SUBJECT: Consent Calendar**

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**BACKGROUND AND STATUS:**

The Consent Calendar consists of items that require approval or acceptance but are self-explanatory and require no discussion. If the Committee would like to discuss any item listed, it may be pulled from the Consent Calendar.

**RECOMMENDATION:**

*Approval of the Consent Calendar.*

**REFERENCE MATERIAL ATTACHED:**

- A. Minutes of the May 7, 2021, Underwriting Committee Meeting
- B. Minutes of the May 17, 2021, Underwriting Committee Meeting
- C. Minutes of the May 25, 2021, Underwriting Committee Meeting

## **EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA)**

### **MINUTES OF THE UNDERWRITING COMMITTEE MEETING OF May 7, 2021**

An ERMA Underwriting Committee Meeting was held on May 7, 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  
Stuart Schillinger, Treasurer, BCJPIA

**COMMITTEE MEMBERS ABSENT:** Truc Dever, Vice President, VCJPA

**OTHERS PRESENT:** Jennifer Jobe, Executive Director, ERMA  
Mona Hedin, Analyst/Training Coordinator, ERMA  
Maria De Leon, Sedgwick

#### **1. CALL TO ORDER/ROLL CALL**

The May 7, 2021, ERMA Underwriting Committee Meeting was called to order at 9:00 a.m. by President John Gillison. A roll call was taken, and it was determined a quorum was present.

#### **2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)**

**Stuart Schillinger moved to approve the agenda as posted. Seconded by John Gillison. The motion passed unanimously.**

#### **3. PUBLIC COMMENTS**

None

#### **4. CONSENT CALENDAR**

**Stuart Schillinger moved to approve the Consent Calendar. Seconded by John Gillison. The motion passed unanimously.**

#### **5. MEMBERSHIP MATTERS**

##### **A. Review of Prospective Member Application – City of Cloverdale (REMIF)**

Jennifer Jobe, Executive Director, provided an overview of the application received from the City of Cloverdale for participation in ERMA effective July 1, 2021, at a \$250,000 or \$350,000 self-insured retention (SIR). The City of Cloverdale is an underlying member of the Redwood Empire Municipal Insurance Fund (REMIF).

Ms. Jobe advised the city reported payroll of \$4.5M for the 2020 calendar year, 43 full-time employees, and four part-time employees. She noted the city reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses.

Ms. Jobe indicated the city is in the process of updating its written personnel policies and procedures utilizing Liebert Cassidy Whitmore's model policies and intends for legal counsel to review the policies upon completion. She added that the city recently completed its AB 1825 and SB 1343 training requirements via Safety National's online learning management system.

The Committee approved the City of Cloverdale's application with the condition that the city completes the review and update of its written policies and procedures utilizing legal counsel with public sector employment law expertise.

**Stuart Schillinger moved to approve the City of Cloverdale (REMIF) at a \$250,000 SIR or a \$350,000 SIR, effective July 1, 2021, subject to the condition discussed. Seconded by John Gillison. The motion passed unanimously.**

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

Ms. Jobe reported staff received 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.

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

**YCPARMIA**

The YCPARMIA reported payroll of \$533,022 for the 2020 calendar year, has four full-time employees, and one part-time employee. The pool is compliant with mandated AB 1825 and SB 1343 training and utilizes Target Solutions to administer training.

YCPARMIA has not reviewed its policies and procedures since 2015 but has plans to update all policies in the coming months.

The Committee emphasized the need for YCPARMIA to complete the update and legal counsel review of its written personnel policies.

Staff confirmed there are several YCPARMIA underlying members that have not yet submitted their applications. It was noted any remaining applications received past the deadline would likely be considered for a later effective date. The Committee expressed support for staff and how it manages membership applications.

The Committee noted, if accepted, YCPARMIA would be the first county-run member pool in ERMA. Questions were raised on how similar their exposures are to the other ERMA members. Staff was requested to inquire and compare ERMA's EPL rates to the rates offered by other pools with county members.

Ms. Jobe indicated that YCPARMIA requested staff begin vetting an addition to the defense panel. She noted the pool was advised the ERMA Board has approval authority and asked that a formal request be made following YCPARMIA's acceptance into ERMA.

### **City of Davis**

The City of Davis reported payroll of \$37.6M for the 2020 calendar year, 331 full-time employees, and 101 part-time employees. The city is compliant with AB 1825 and SB 1343 mandated training requirements and utilizes Target Solutions to administer training.

The city has written personnel policies and procedures that have been reviewed by the City Attorney and will be formally adopted by City Council following labor organization review.

### **City of West Sacramento**

The City of West Sacramento reported payroll of \$39.5M for the 2020 calendar year, 363 full-time employees, and 236 part-time employees. The city is compliant with AB 1825 and SB 1343 training mandates and utilizes Vector Solutions to administer training.

The city has written personnel policies and procedures that have not been updated in the last five years.

### **Clarksburg Valley Fire Protection District**

The Clarksburg Valley Fire Protection District reported payroll of \$9,011 for the 2020 calendar year, with no full-time employees, two part-time employees, and 20 volunteers. 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 are regularly reviewed by legal counsel and have been formally adopted by the district's Board.

The district is compliant with SB 1343 training requirements and utilizes Vector Solutions to conduct its training.

### **Davis Cemetery District**

The Davis Cemetery District reported payroll of \$335,545 for the 2020 calendar year, five full-time employees, and no part-time employees. The district has comprehensive written personnel policies and procedures in place that are regularly reviewed by legal counsel and have been formally adopted by the district's Board.

The district is compliant with AB1825 and SB 1343 training mandates and obtains training via Golden State Risk Management Authority.

### **Esparto Fire Protection District**

The Esparto Fire Protection District reported payroll of \$102,224 for the 2020 calendar year, two full-time employees, and no 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, which are regularly reviewed by legal counsel and have been formally adopted by the district's Board.

The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solution to administer training.

**Stuart Schillinger moved to approve 1) the Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA) and underlying member, City of West Sacramento, at a \$500,000 SIR, effective July 1, 2021, with the condition YCPARMIA and the city's personnel policies and procedures are updated, reviewed by legal counsel with expertise in public sector employment law, and approved by each agency's governing body, no later than July 1, 2023; 2) the City of Davis, Davis Cemetery District, and Esparto Fire Protection District at a \$500,000 SIR, effective July 1, 2021; and 3) the Clarksburg Fire Protection District at a \$500,000 SIR, effective July 1, 2021, with the condition the district provides proof of compliance with state-mandated training requirements by August 31, 2021. Seconded by John Gillison. The motion passed unanimously.**

6. CLOSING COMMENTS

A. Board of Directors

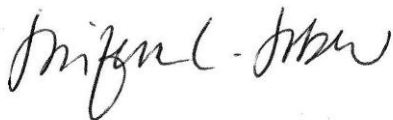
None

B. Staff

None

7. ADJOURNMENT

The May 7, 2021, ERMA Underwriting Committee meeting adjourned at 10:02 a.m. by general consent.



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Jennifer Jobe, Executive Director

## **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

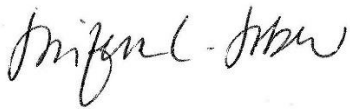
None

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.



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Jennifer Jobe, Executive Director

## **EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA)**

### **MINUTES OF THE UNDERWRITING COMMITTEE MEETING OF May 25, 2021**

An ERMA Underwriting Committee Meeting was held on May 25, 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 25, 2021 ERMA Underwriting Committee Meeting was called to order at 10:00 a.m. A roll call was taken, and it was determined a quorum was present.

#### **2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)**

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

#### **3. PUBLIC COMMENTS**

None

#### **4. MEMBERSHIP MATTERS**

##### **A. Review of Prospective Member Application – Town of Windsor (REMIF)**

Jennifer Jobe, Executive Director, reported staff received an application from the Town of Windsor for participation in ERMA effective July 1, 2021, at a \$250,000 self-insured retention (SIR). She indicated the Town is an underlying member of the Redwood Empire Municipal Insurance Fund (REMIF) and summarized the application as follows:

The **Town of Windsor** reported payroll of \$9.2M for the 2020 calendar year, 102 full-time employees, and 47 part-time employees. The town reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The town is in the process of updating its written personnel policies and procedures, utilizing the services of Liebert Cassidy Whitmore (LCW) in the review process. The town is compliant with AB 1825 and SB 1343 training requirements and utilizes the Department of Fair Employment and Housing's online training modules.

**Truc Dever moved to recommend the Board approve the Town of Windsor at a \$250,000 SIR, effective July 1, 2021, with condition the Town's personnel policies and procedures are updated, reviewed by legal counsel with expertise in public sector employment law, and approved by the Town Council no later than July 1, 2023. A roll call vote was taken. The motion passed unanimously.**

**B. Review of Prospective Member Applications – Yolo County Public Agency Risk Management Insurance Authority's (YCPARMIA) Underlying Member Entities**

Ms. Jobe provided an overview of member applications received from eleven underlying member entities of the Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA) for participation in ERMA effective July 1, 2021, at a \$500,000 SIR, as follows:

The **Madison Fire Protection District** reported payroll of \$100,509 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 comprehensive written personnel policies and procedures in place, which are regularly reviewed and updated but are not reviewed by legal counsel. The district's Board formally adopted the policies. The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The **Esparto Unified School District** reported payroll of \$7.5M for the 2020 calendar year, 86 full-time employees, and 72 part-time employees. The district reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The district has comprehensive written personnel policies and procedures in place that are reviewed by legal counsel and formally adopted by the Board. The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The **Valley Clean Energy Alliance** reported payroll of \$398,055 for the 2020 calendar year, five full-time employees, and no part-time employees. The agency reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The agency has comprehensive written personnel policies and procedures in place that are reviewed by legal counsel and formally adopted by the Board. The agency is compliant with AB 1825 and SB 1343 training mandates and utilizes Paychex to administer online training.

The **Yolo-Solano Air Quality Management District** reported payroll of \$2.1M for the 2020 calendar year, 22 full-time employees, and no part-time employees. The district reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The district has comprehensive written personnel policies and procedures in place, which have not been reviewed by legal counsel. The district's Board has formally adopted the policies. The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The **City of Woodland** reported payroll of \$29.3M for the 2020 calendar year, 296 full-time

employees, and 100 part-time employees. The city reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The city's written personnel policies and procedures were last reviewed in 1999. The city is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to conduct training.

The **Yolo County Emergency Communications Agency** reported payroll of \$3.3M for the 2020 calendar year, 46 full-time employees, and no part-time employees. The agency reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The agency's personnel policies and procedures are currently being reviewed. The agency is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The **Yolo County In-Home Supportive Services Public Authority** reported payroll of \$140,049 for the 2020 calendar year, four full-time employees, and no part-time employees. The authority reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The authority's written personnel policies and procedures are currently being updated. The authority is compliant with AB 1825 and SB 1343 training mandates and obtains online training through Yolo County.

The **West Plainfield Fire Protection District** reported payroll of \$193,674 for the 2020 calendar year, three full-time employees, and two part-time employees. The district reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The district has comprehensive written personnel policies and procedures in place, which they have recently begun updating. The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The **Winters Cemetery District** reported payroll of \$163,795 for the 2020 calendar year, three full-time employees, and five part-time employees. The district reported no incurred losses within the previous seven fiscal years and issued a Statement of No Known Losses. The district's written personnel policies and procedures are currently being updated. The district is compliant with AB 1825 and SB 1343 training mandates and obtains online training through the state cemetery association's coverage provider.

The **Cottonwood Cemetery District** reported payroll of \$15,200 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 does not have written personnel policies or procedures, nor does it conduct mandated training.

The **Willow Oak Fire Protection District** reported payroll of \$212,736 for the 2020 calendar year, four 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 comprehensive written personnel policies and procedures in place that are reviewed annually by internal staff. The district is compliant with AB 1825 and SB 1343 training mandates and utilizes Target Solutions to administer training.

The Committee reaffirmed the importance that agencies ensure updated, written personnel policies and procedures are in place. The Committee recognized that in some instances, entities

may experience time and cost constraints, and therefore lack necessary resources to develop and/or update these documents.

**Stuart Schillinger moved to recommend the Board approve the underlying member entities of the Yolo County Public Agency Risk Management Insurance Authority's (YCPARMIA), as follows: 1) Madison Fire Protection District, Esparto Unified School District, Valley Clean Energy Alliance, and the Yolo-Solano Air Quality Management District at a \$500,000 SIR, effective July 1, 2021; 2) City of Woodland, Yolo County Emergency Communications Agency, Yolo County In-Home Supportive Services Public Authority, West Plainfield Fire Protection District, Winters Cemetery District, and the Willow Oak Fire Protection District at a \$500,000 SIR, effective July 1, 2021, with the condition the agency's personnel policies and procedures are updated, reviewed by legal counsel with expertise in public sector employment law, and approved by each agency's governing body, no later than July 1, 2023; and 3) the Cottonwood Cemetery District at a \$500,000 SIR, effective July 1, 2021, with the condition the district execute a Resolution formally adopting Yolo County's personnel policies and procedures, and provides proof of compliance with state-mandated training requirements by August 31, 2021. Seconded by Truc Dever. A roll call vote was taken. The motion passed unanimously.**

**C. Review of Prospective Member Application – City of Exeter (CSJVRMA)**

Ms. Jobe reported staff received an application from the City of Exeter, an underlying member of the Central San Joaquin Valley Risk Management Authority (CSJVRMA), for participation in ERMA at the \$25,000 SIR, effective July 1, 2021. Ms. Jobe noted the city was previously a participating member but withdrew due to financial constraints at the conclusion of the 2003/04 program year. Ms. Jobe provided a summary of the application, as follows:

The **City of Exeter** reported payroll of \$2.6M for the 2020 calendar year, 31 full-time employees, and 10 part-time employees. The city is in the process of updating its written personnel policies and procedures utilizing legal counsel with employment law expertise and anticipates completing the update by January 1, 2022. The city is compliant with state-mandated training and utilizes the Department of Fair Employment and Housing's online training modules.

**Stuart Schillinger moved to recommend the Board approve the City of Exeter (CSJVRMA) at a \$25,000 SIR, effective July 1, 2021, with the condition that the city's personnel policies and procedures are updated, reviewed by legal counsel with expertise in public sector employment law, and approved by the city's governing body, no later than July 1, 2023. Seconded by Truc Dever. A roll call vote was taken. The motion passed unanimously.**

**5. CLOSING COMMENTS**

**A. Board of Directors**

None

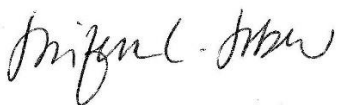
B. Staff

Ms. Jobe advised an Underwriting Committee meeting may need to be scheduled prior to the June Board meeting to review an application from one other underlying member of CSJVRMA, City of Lindsay. Staff is awaiting a completed application and a Statement of No Known Losses from the city. In the event those documents are received after July 1, the application will be presented for consideration at the Board meeting in November, with a request for retroactive coverage to July 1, 2021.

The Committee indicated retroactive coverage may be considered provided the city agrees to work with ERMA defense counsel on claims received between July 1 and November 1 to demonstrate its commitment to the pool.

6. ADJOURNMENT

The May 25, 2021, ERMA Underwriting Committee meeting adjourned at 11:09 a.m. by general consent.



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Jennifer Jobe, Executive Director



**MEMBERSHIP MATTERS**

**SUBJECT:     Review of Prospective Member Application – City of Lindsay (CSJVRMA)**

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**BACKGROUND AND STATUS:**

The City of Lindsay (City), an underlying member of the Central San Joaquin Valley Risk Management Authority (CSJVRMA), provided an application and supporting documentation for participation in ERMA at a \$25,000 self-insured retention (SIR).

In May 2021, the City applied for participation in ERMA, effective July 2021, but due to various time constraints during the 2021/22 program year renewal, staff was not able to review the submitted materials. During the May 25, 2021, Underwriting Committee meeting, staff requested the city's application be reviewed and presented to the Committee for their recommendation to the Board of Directors at the November 1, 2021 meeting, with a retroactive coverage effective date of July 1, 2021. The Committee approved staff's recommendation with the understanding the city would, in the interim, act in good faith as a participating ERMA member and consult ERMA on all personnel matters, including utilization of approved investigators and defense attorneys, if needed, until such time as formal approval for participation is extended.

The City's application materials have been reviewed by staff, as follows:

The City reports payroll of \$3M for the 2020 calendar year and has 40 full-time employees and 17 part-time employees.

The City has written personnel policies and procedures that were adopted by City Council but have not been reviewed since 2011.

The City is compliant with AB 1825 and SB 1343 training requirements and utilizes Liebert Cassidy Whitmore (LCW) to conduct training.

**RECOMMENDATION:**

*Staff recommends the Underwriting Committee approve the City of Lindsay (CSJVRMA) at a \$25,000 SIR, effective July 1, 2021, with the condition the city's personnel policies and procedures are updated, reviewed by legal counsel with expertise in public sector employment law, and approved by City Council, no later than July 1, 2023.*

**REFERENCE MATERIALS ATTACHED:**

- City of Lindsay Premium Indication
- City of Lindsay Completed Potential New Member Application

**Agenda Item 5.A.**

# EMPLOYMENT RISK MANAGEMENT AUTHORITY CONTRIBUTION INDICATION

## CSJVRMA

Name of Entity	City of Lindsay
2020 Calendar Payroll	\$3,014,316
Coverage Period	July 1, 2021 to June 30, 2022

### CALCULATION

Member Retained Limit Options		\$25,000	\$50,000	\$75,000	\$100,000
Retained Limit Factor		1.13	1.00	0.90	0.82
Retained Limit Rate		0.641	0.567	0.510	0.465
Defense & Indemnity: Pooled Funding		\$19,313	\$17,091	\$15,382	\$14,015
Administration	0.0530	1,598	1,598	1,598	1,598
Loss Prevention & Training	0.0087	261	261	261	261
Subtotal		\$21,172	\$18,950	\$17,241	\$15,874
JPA Participation Credit	6.24%	(\$1,322)	(\$1,183)	(\$1,077)	(\$991)
Individual Experience Mod Factor *		1.000			
Off-Balance Factor		1.195			
Excess Insurance \$2 million x \$1 million	0.0400	1,206	1,206	1,206	1,206
<b>ERMA CONTRIBUTION</b>		<b>\$24,936</b>	<b>\$22,446</b>	<b>\$20,530</b>	<b>\$18,997</b>
<b>CSJVRMA Administration Fee **</b>	<b>5.00%</b>	<b>\$1,247</b>	<b>\$1,122</b>	<b>\$1,026</b>	<b>\$950</b>
<b>TOTAL CONTRIBUTION</b>		<b>\$26,183</b>	<b>\$23,568</b>	<b>\$21,556</b>	<b>\$19,947</b>

\* New members are assigned an experience modification factor of 1.000 their first year in ERMA.

\*\* Administration fee of 5% charged by the CSJVRMA.

# EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA)

## LIABILITY COVERAGE APPLICATION FOR PROSPECTIVE MEMBERS OF A PARTICIPATING JOINT POWERS AUTHORITY

*If completed electronically, this application will adjust to allow space for any answers. If not completed electronically, then additional sheets may be needed.*

ENTITY NAME: <u>CITY OF LINDSAY</u>		Date: <u>05/17/2021</u>
<b>EMPLOYMENT PRACTICES INFORMATION</b>		
<b>A. Policies and Procedures</b>		
1.	Does the Entity have written personnel policies and procedures?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.	Does the Entity distribute the manual/rules to all employees?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3.	Does the Entity have employees sign an acknowledgement form indicating they have read and understood the above-referenced policies?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4.	Are the following policies or procedures included in the manual? Check all that apply:	
	<input checked="" type="checkbox"/> Hiring	<input checked="" type="checkbox"/> Termination <input checked="" type="checkbox"/> Suspension
	<input checked="" type="checkbox"/> Medical Leave	<input checked="" type="checkbox"/> Unpaid Leave <input checked="" type="checkbox"/> Grievance Procedures
	<input checked="" type="checkbox"/> Drug & Alcohol Testing	<input checked="" type="checkbox"/> Discipline <input checked="" type="checkbox"/> Attendance
	<input checked="" type="checkbox"/> Family Medical Leave Act	<input checked="" type="checkbox"/> Anti-Harassment Policies
	<input type="checkbox"/> Written Job Description for all Positions	<input checked="" type="checkbox"/> Workplace Violence Policies
	<input checked="" type="checkbox"/> Annual Written Performance Evaluations for all Employees	
	<input checked="" type="checkbox"/> Employee Hotline/Complaint Procedure	
5.	Do the policies/rules include all protected categories under the Fair Employment and Housing Act (FEHA), Ca. Gov't. Code section 12940)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6.	Does the Entity have legal counsel regularly review the manual/rules?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7.	Have the above-referenced policies been updated within the past five years?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If no, when was the manual or rules last reviewed? <u>2011</u>	
8.	Were the above-referenced policies formally approved and adopted by council/governing board?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9.	Does the Entity have legal counsel to provide advice regarding disciplinary matters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10.	Does the entity have an orientation program for all employees that addresses workplace conduct, EPL policies and practices, and grievance procedures?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p><b><i>If you answered no to any of the above, please use this space to provide more information:</i></b></p> <p>City receives updates when new law changes, we update the policy and have city attorney review before having council approve the change.</p>		

<b>B. Employee Information</b>						
1.	Number of Full Time Employees: <u>40</u>					
2.	Number of Part time Employees: <u>17</u>					
3.	For each of the past five years, what has been your annual percentage turnover rate of employees?					
	<table style="width: 100%; border: none;"> <tr> <td style="border: none;"><u>2016</u>    <u>27 %</u></td> <td style="border: none;"><u>2017</u>    <u>61 %</u></td> <td style="border: none;"><u>2018</u>    <u>25 %</u></td> <td style="border: none;"><u>2019</u>    <u>25 %</u></td> <td style="border: none;"><u>2020</u>    <u>12 %</u></td> </tr> </table>	<u>2016</u> <u>27 %</u>	<u>2017</u> <u>61 %</u>	<u>2018</u> <u>25 %</u>	<u>2019</u> <u>25 %</u>	<u>2020</u> <u>12 %</u>
<u>2016</u> <u>27 %</u>	<u>2017</u> <u>61 %</u>	<u>2018</u> <u>25 %</u>	<u>2019</u> <u>25 %</u>	<u>2020</u> <u>12 %</u>		
4.	How many involuntary employment terminations have occurred in the past three years? <u>2</u>					
	<table style="width: 100%; border: none;"> <tr> <td style="border: none;"><u>2020</u>    <u>-1</u></td> <td style="border: none;"><u>2018</u>    <u>-1</u></td> </tr> </table>	<u>2020</u> <u>-1</u>	<u>2018</u> <u>-1</u>			
<u>2020</u> <u>-1</u>	<u>2018</u> <u>-1</u>					

		<i>Involuntary employment termination with respect to this questionnaire means notification to an employee that such employee will no longer be employed whether such notification is effective immediately or in the future. Involuntary employment termination shall also include actual or alleged constructive discharge.</i>	
	5.	Percentage of Employees with salaries less than \$100,000 % 93	Should = 100%
	6.	Percentage of Employees with salaries greater than \$100,000 % 7	

<b>C. Employment Practices Claims Handling</b>			
	1.	Who in the Entity has been designated to handle claims? Personnel Manager	
	2.	(a) With respect to oral or written claims, do you have a written procedure for obtaining information and conducting required follow up on the claim?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(b) Do you require written claims for EEO-related complaints?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		<b>If yes to 2(a), describe the policy and procedure for receiving, reviewing, and responding to claims:</b> Upon receipt of a complaint of alleged harassment, discrimination or retaliation, the Personnel Director will be responsible for coordinating a thorough investigation (unless he/she is named in the complaint). The Personnel Director may coordinate the investigation with the complainant's department head and may hire an outside investigator if the City deems it appropriate. The Personnel Director will report the status of investigations to the City Manager as appropriate.	
	3.	Does the Employment Claims handler coordinate with the Workers' Compensation Administrator on all claims involving actual or potential industrial injuries? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	4.	Has your entity received any claim in the previous 7 completed fiscal years, including the partial current fiscal year, (including but not limited to Tort Claim, any and all claims filed with the DFEH, EEOC, Department of Labor or Federal Department of Justice, any civil lawsuit or other written claim) alleging the following?	
		(a) Allegations of discrimination or harassment under FEHA, Title VII or any other federal or state law relating to discrimination based on race, sex, religion, disability, national origin, marital status, age, sexual orientation, retaliation or any other protected legal status;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(b) Allegations of retaliation relating to an Employee engaging in protected activity involving any EEO-related complaint, protected leave status, worker's compensation claim, or any other protected activity or status;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(c) Actual or alleged constructive termination of an employment relationship in a manner which is alleged to have been against the law or wrongful, or in breach of an implied employment contract or breach of the covenant of good faith and fair dealing in the employment contract;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(d) Allegations of negligent or wrongful evaluation, wrongful demotion, wrongful discipline, failure to promote, failure to grant tenure, or wrongful deprivation of career opportunity;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(e) Allegations of misrepresentation or defamation made by an <i>Employee</i> which arise from an employment decision to hire, fire, promote, demote or discipline;	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		(f) Allegations of infliction of emotional distress, mental injury, mental anguish, shock, sickness, disease or disability made by an <i>Employee</i> which arise from an employment decision to hire, fire, promote, demote or discipline;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		(g) Allegations of false imprisonment, detention, or malicious prosecution made by an <i>Employee</i> which arise from an employment decision to hire, fire, promote, demote or discipline;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

	(h) Allegations of libel, slander, defamation of character, invasion of privacy made by an <i>Employee</i> which arise from an employment decision to hire, fire, promote, demote or discipline; and	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	(i) Other personal injury allegations made by an <i>Employee</i> which arise from an employment decision to hire, fire, promote, demote or discipline.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the answer is yes to any of the above, please attach a listing of the loss(es) showing a full description of each claim, including the date filed, the substance of the allegations, the disposition of the claim, and any monetary amounts paid in connection with the claim.		

<b>D. Employment Practices Risk Management</b>		
1.	Does the applicant have a Human Resources or Personnel Department?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	If no, please describe handling of this function:	
2.	Do you have any established set of grievance or complaint procedures as an effective means of resolving disputes prior to litigation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3.	Do you anticipate any "layoffs" during the next 24 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If yes, please provide details.	
4.	Have you had any "layoffs" in the past 36 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If yes, please provide details.	
5.	Is your entity in full compliance with the training requirements set forth in AB 1825, SB 1343 and SB 778?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	If no, please explain. N/A	
6.	Briefly describe the procedure for maintaining AB 1825 and SB 1343 training records: <small>Copies of certificates are kept in personnel files, AB 1825 training file, and AB 1825 spread sheet logs are maintained to track when employees are due.</small>	
7.	Does your entity provide SB 1343 training?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8.	Are elected officials trained on the entity's policy regarding harassment, discrimination, and retaliation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<b>E. DESIRED SELF-INSURED RETENTION</b>							
<input checked="" type="checkbox"/> \$25K	<input type="checkbox"/> \$50K	<input type="checkbox"/> \$75K	<input type="checkbox"/> \$100K	<input type="checkbox"/> \$250K	<input type="checkbox"/> \$350K	<input type="checkbox"/> \$500K	
<b>Please attach the following:</b> <ul style="list-style-type: none"> <li><i>EPL individual loss information (including Date of Loss and total incurred) for the previous 7 completed fiscal years, including the partial current fiscal year;</i></li> <li><i>Payroll information for the previous 7 completed calendar years;</i></li> <li><i>Completed resolution authorizing participation in ERMA;</i></li> <li><i>Completed intent to participate; and</i></li> <li><i>Most Recent Financial Audit.</i></li> </ul>							

The undersigned declares that no fact, circumstance, or situation indicating the probability of a claim or action is now known to any person proposed for this coverage; and it is agreed by all concerned that if there be knowledge of any such fact, circumstance or situation, any claim or action subsequently emanating therefrom shall be excluded from coverage under the coverage for herewith being applied. The undersigned being authorized by, and acting on behalf of, the applicant and all persons or concerns seeking coverage, has read and understands this application, and declares all statements set forth herein are true, complete, and accurate, and include all material information.

The undersigned further declares and represents that any occurrence taking place prior to the inception of the coverage for which is being applied, which may render inaccurate, untrue or incomplete any statement made herein will immediately be reported in writing to ERMA. The undersigned acknowledges and agrees that the submission and ERMA's receipt of such report, prior to the inception of the coverage for which being applied, is a condition precedent to coverage.

The undersigned acknowledges:

- (1) ERMA does not require the submittal of the aforementioned policies and procedures. ERMA does, however, rely on the information provided by the applicant in review of the application and the undersigned, therefore, declares and represents that the policies and procedures as represented above are the current policies and procedures of the entity.
- (2) ERMA's Board of Directors may recommend a risk assessment of any new member within 60 days of joining ERMA and/or a higher self-insured retention from what was requested, if an application for membership is approved.

The undersigned further acknowledges and agrees this application contains requests for information and requests for data on a range of exposures, but such requests do not imply that coverage is afforded in the program for which is being applied.

City of Lindsay  
\_\_\_\_\_  
Agency or Entity Name

Joseph Tanner  
\_\_\_\_\_  
Applicant's Name (please print)

City Manager  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Applicant's Signature

May 27, 2021  
\_\_\_\_\_  
Date