



## MINTUES OF THE CLAIMS COMMITTEE NOVEMBER 8, 2023

A meeting of the Claims Committee was held via teleconference on November 8, 2023.

### Members Present

Adelanto	Jessie Flores
Fullerton	Pamela Mackie, Chair
Hawthorne	Alison Stevens

### Members Absent

Bell

### Others Attendees

AdminSure	Kristen Vanscourt ( <i>left at 10:48 a.m.</i> )
Johnson Schachter & Lewis	Kellie Murphy
Mainstream Unlimited	Bob May
One Source	Louise Edler
	Shari Huff
Rutan & Tucker, LLP	Todd Litfin ( <i>left from 10:50 a.m. to 10:59 a.m.; left at 11:10 a.m.</i> )
City of Monterey Park	Christine Tomikawa ( <i>left from 10:50 a.m. to 10:59 a.m.; left at 11:04 a.m.</i> )
	Timothy Campen ( <i>left from 10:50 a.m. to 10:59 a.m.; left at 11:04 a.m.</i> )
City of South Gate	Thurman Green ( <i>joined at 11:36 a.m.; left at 11:44 a.m.</i> )
RPA	Danielle Rogacki
	Amber Anderson
	Nilsa Quandt
	Michelle Carter ( <i>left at 10:23am</i> )

#### 1. CALL TO ORDER

Committee Chair Pamela Mackie called the meeting to order at 10:03 a.m.

#### 2. ESTABLISHMENT OF QUORUM/INTRODUCTIONS

A roll call determined a quorum was present.

#### 3. PUBLIC COMMENTS

None.

#### 4. APPROVAL OF AGENDA AS POSTED

*Motion by Jessie Flores (Adelanto), seconded by Alison Stevens (Hawthorne), to approve the agenda as posted. Motion passed unanimously via roll call vote, with representatives from Adelanto, Fullerton, and Hawthorne voting "aye".*

## 5. CONSENT CALENDAR

Item D – Claims Committee Meeting Date Change was pulled by Pamela Mackie for discussion. The request was made that the Broker team further describe their annual visit to London to meet with excess coverage carriers at the December Board meeting.

*Motion by Jessie Flores (Adelanto), seconded by Alison Stevens (Hawthorne), to approve items A) Minutes of the July 12, 2023 Claims Committee Meeting, B) Minutes of the July 25, 2023 Special Claims Committee Meeting, C) Minutes of the August 29, 2023 Special Claims Committee Meeting, D) Claims Committee Meeting Date Change; and receive and file items E) Claims Committee Attendance Record – Program Year to Date and F) Update on Liability Program Claims Audit. Motion passed unanimously via roll call vote, with representatives from Adelanto, Fullerton, and Hawthorne voting “aye”.*

## 6. OPEN SESSION

### A. Appointment of Claims Committee Member

Amber Anderson, Program Administrator, advised the Committee of a vacant seat on the Committee due to the recent retirement of Debbie Scott-Leistra (Santa Ana) in September 2023. With the change, the Committee has been reduced to four (4) incumbent members.

The Committee discussed its current composition and directed Staff to add the item on the December 7, 2023 agenda for discussion with the Board.

### B. Service Provider Discussion

#### 1) Attorney Bill Review Services: Bottomline/Legal-X

Danielle Rogacki, Interim Executive Director, along with Michelle Carter, Program Administrator, provided an overview of the steps taken to consider the replacement of Bottomline for attorney bill review services since the May 25, 2023 Board meeting. Staff requested approval to resume the procurement process for attorney bill review services with the goal of selecting a new vendor and completing a transition plan by February 1, 2024.

*Motion by Pamela Mackie (Fullerton), seconded by Jessie Flores (Adelanto), to allow the Administration Team and Liability Program Manager to resume the procurement process for attorney bill review services and work on a transition to be completed no later than February 1, 2024. Motion passed unanimously via roll call vote, with representatives from Adelanto, Fullerton, and Hawthorne voting “aye”.*

#### 2) Pre-employment Screening Services: Occu-Med

Ms. Rogacki stated that over the last past year the Administration team has received increasing report of service challenges with Occu-Meds team. Currently, the Administration Team has a meeting on the calendar to discuss specific items relayed by the Claims Committee with the President of Occu-Med. A report on the results of that discussion will be presented at a future Board meeting.

*Information only.*

**C. Consideration of Appeal: Duke v. Monterey Park Claim Denial Based on Late Notice**

Kellie Murphy, Coverage Counsel, provided a brief overview of the Duke v. Monterey Park claim and the late notice that led to the coverage denial. Ms. Murphy introduced representatives from the City of Monterey Park, Christine Tomikawa and Timothy Campen, who provided input on behalf of Monterey Park. Ms. Murphy asked the Committee to consider one of three options:

1. Uphold the coverage denial;
2. Confer coverage and apply an increase in the City's Retained Limit in the ascertained or estimated amount of the monetary detriment suffered by ICRMA; or
3. Confer coverage and apply the increase in the City's Retained Limit in an amount determined by the Claims Committee between a minimum of 1% and a maximum of 25%.

**7. CLOSED SESSION**

*The Committee entered into closed session at 10:50 a.m. to discuss the following items:*

- A. Discussion of Open Claims and Conference with Legal Counsel pursuant to Government Code Sections 54956.95(a) and 54956.9(d)(2):
  - Duke v. Monterey Park

The Committee reconvened to Open Session at 10:59 a.m.

*Motion by Alison Stevens (Hawthorne), seconded by Jessie Flores (Adelanto), to confer coverage and apply a 10% increase in the City of Monterey Park's retained limit. Motion passed unanimously via roll call vote, with representatives from Adelanto, Fullerton, and Hawthorne voting "aye".*

The Committee re-entered Closed Session at 11:04 a.m.

- B. Discussion of Open Claims and Conference with Legal Counsel pursuant to Government Code Section 54956.95(a):
  - Beal v. Adelanto (GL)
  - Flynn v. Inglewood (GL)
  - Kling v. South Gate (GL)

**8. REPORT FROM CLOSED SESSION**

*The Committee reconvened to Open Session at 11:45 a.m., and Legal Counsel advised that no reportable action was taken.*

**9. CLOSING COMMENTS**

None.

**10. ADJOURNMENT**

The Chair adjourned the meeting at 11:46 a.m.