



**SOUTH BAY AREA SCHOOLS INSURANCE AUTHORITY
EXECUTIVE COMMITTEE MEETING
REVISED AGENDA**

LOCATION: Webex

**A - Action
I - Information**

DATE/TIME: December 3, 2020
9:30 A.M.

**1 - Included
2 - Hand Out
3 - Separate
4 - Verbal**

Per Government Code 54954.2, persons requesting disability related modifications or accommodations, including auxiliary aids or services, in order to participate in the meeting are requested to contact Joan Crossley at Alliant Insurance Services, Inc. at (916) 643-2708.

Documents and material relating to an open session agenda item that are provided to the SBASIA Executive Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2180 Harvard St, Suite 460, Sacramento, CA 95815.

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- A. CALL TO ORDER**
- B. ROLL CALL** A 4
- C. APPROVAL OF AGENDA** A 1
- D. PUBLIC COMMENT**
This time is reserved for members of the public to address the Executive Committee on SBASIA business.
- 1 E. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.95** A 4
 - 1. Adams v. Metropolitan Education District**
 - 2. Doe v. Milpitas Unified School District**
- F. PRESIDENT’S REPORT ON ACTION FROM CLOSED SESSION**
- 2 G. CONSENT CALENDAR** A 1
- 3-6 1. Executive Committee Meeting Minutes – October 8, 2020**



H. GENERAL ADMINISTRATION

- 7 **1. Review of Board Agenda Items** **A 3**
Staff will review the Board agenda items with the Executive Committee.

I. COMMENTS FOR THE GOOD OF THE ORDER

ADJOURNMENT

NEXT MEETING

The next Executive Committee Meeting is set for March 11, 2021 at 9:30 a.m.



Agenda Item E.1.

CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54956.95

ACTION ITEM

ISSUE: Pursuant to Government Code Section 54956.95, the Executive Committee will hold a Closed Session to discuss the following claims:

1. Adams v. Metropolitan Education District
2. Doe v. Milpitas Unified School District

RECOMMENDATION: The Program Administrator cannot make a recommendation at this time as the subject matter is confidential.

FISCAL IMPACT: To be determined



Agenda Item G.

CONSENT CALENDAR

ACTION ITEM

ISSUE: The Executive Committee should review the Consent Calendar and pull any items that need discussion. Otherwise, the Executive Committee should adopt the Consent Calendar as presented.

RECOMMENDATION: The Program Administrator recommends adoption of the Consent Calendar items as presented.

FISCAL IMPACT: None.

BACKGROUND: The following items are placed on the Consent Calendar for adoption by the Executive Committee. The Executive Committee may accept the Consent Calendar as posted, or pull any item for discussion and separate action while accepting the remaining items.

1. Executive Committee Meeting Minutes – October 8, 2020

ATTACHMENTS: Executive Committee Meeting Minutes – October 8, 2020



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WEBEX MEETING
October 8, 2020**

E. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.95

1. Cardozo v. Santa Clara County Office of Education
2. Gomez v. Evergreen School District
3. Garnica v. Santa Clara Unified School District
4. Martinez v. All California Public Schools

The Executive Committee entered closed session at 9:34 a.m. The Executive Committee returned from closed session at 10:01 a.m.

AYES: Dill, Perley, Mathiesen, Lebs, Zhang

NAYS: None

ABSENT: None

F. PRESIDENT’S REPORT ON ACTION FROM CLOSED SESSION

Mr. Eric Dill stated the Executive Committee took appropriate action to approve settlement for items 1 and 3 and provided direction on items 2 and 4.

G. CONSENT CALENDAR

1. Executive Committee Meeting Minutes – June 11, 2020
2. Executive Committee Meeting Minutes – September 10, 2020
3. Unaudited Financial Report for Quarter Ending June 30, 2020
4. Investment Report for Quarter Ending June 30, 2020

A motion was made to approve the items in the Consent Calendar as presented.

MOTION: Delores Perley SECOND: Mike Mathiesen MOTION CARRIED

AYES: 5 NOES: 0 ABSTAIN: 0 ABSENT: 0

AYES: Dill, Perley, Mathiesen, Lebs, Zhang

NAYS: None

ABSENT: None

H. PROPERTY SETTLEMENT AUTHORITY REQUESTS

1. Milpitas Unified School District-Vehicle Collision on 6/2/20
2. Los Gatos-Saratoga Joint Union High School District-Fire at Saratoga High School on 11/30/17
3. Santa Clara Unified School District-Fire at Santa Clara High School on 4/4/16

Ms. Joan Crossley summarized three property claims which require settlement authority.



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On 6/2/20, a Milpitas Unified School District employee was driving a district vehicle when the employee collided with a pole in a parking lot. The total damage to the vehicle is \$13,071.03. The district has a \$10,000 deductible so the JPA would pay \$3,071.03.

There was a fire at Saratoga High School at Los Gatos-Saratoga Joint Union High School District on 11/30/17. Heat from a ceramics kiln caused the roof to ignite. The JPA has previously paid \$18,705 on this claim and payment of \$43,775.92 for additional invoices is needed.

There was a fire at Santa Clara High School at Santa Clara Unified School District on 4/4/16. The fire was started by two teenage girls. The JPA has previously paid \$216,561.56 and payment of \$273,438.44 is needed for additional invoices. Santa Clara Unified School District is trying to collect \$10,000 from each of the parents in restitution as ordered by the County of Santa Clara.

Ms. Crossley said the payments for the three claims total \$320,285.39.

A motion was made to approve the property settlement authority requests for total of \$320,285.39.

MOTION: Wendy Zhang SECOND: Mike Mathiesen MOTION CARRIED

AYES: 5 NOES: 0 ABSTAIN: 0 ABSENT: 0

AYES: Dill, Perley, Mathiesen, Lebs, Zhang

NAYS: None

ABSENT: None

I. GENERAL ADMINISTRATION

1. Selection of Auditor for Fiscal Year Ending June 30, 2021

Mr. Matt Gowan said the three year contract with James Marta & Company to perform the annual financial audit expires with the June 30, 2020 audit. The JPA can solicit a new contract with Mr. Marta or issue a Request for Proposal for auditor. The Executive Committee said to solicit a renewal contract with James Marta & Company.

2. Claims Audit

Mr. Gowan said the JPA has a claims audit performed every two years and the next audit is due in 2021. The JPA's Excess Liability carrier, PRISM, performs a Liability claims audit which is also due in 2021. Mr. Gowan said the Liability claims auditor can review some Property claims as well and the JPA won't have to pay a separate fee to have a claims audit performed. The Executive Committee commented this is fine.



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3. PRISM Loss Control Services

Mr. Eric Lucero, Senior Risk Control Specialist at PRISM, reviewed loss control services available to the JPA as follows:

- COVID-19 resources are available on the PRISM website
- TargetSolutions catalog has COVID-19 training courses
- Employment Practices/Labor Law Hotline can be used for Employment Practices consultation, COVID-19 questions, Title IX compliance
- PRISM TV has a variety of webinars including preventing molestation, Title IX, returning to work amidst COVID-19
- PRISM Risk Control Open Forum every third Tuesday for school districts to share information and ask questions
- PRISM has a School Administrator's Guide to Preventing Sexual Abuse & Misconduct
- PRISM has a School Liability Handbook on Student Activities and Employment Issues
- Alliant Insurance Services has an Insurance Requirements in Contracts manual
- The Environmental Protection Agency (EPA) has some webcasts on ventilation and indoor air quality

Mr. Lucero will send out an email with links to these services.

J. COMMENTS FOR THE GOOD OF THE ORDER

There were no comments for the good of the order.

ADJOURNMENT

The meeting was adjourned at 10:42 a.m.



Agenda Item H.1

REVIEW OF BOARD AGENDA ITEMS

ACTION ITEM

ISSUE: The Executive Committee should make recommendations to the Board of Directors for those items on their agenda that require action.

RECOMMENDATION: None.

FISCAL IMPACT: Various. See the Board of Directors December 3, 2020 agenda.

BACKGROUND: The Board of Directors should take action on the following items:

Legal Defense Fund for Martinez, et al v. Newsom, et al
Audited Financial Report as of June 30, 2020

ATTACHMENTS: None