

## ACCEL BOARD OF DIRECTORS MEETING

**Day 1 - Thursday, October 12, 2023 at 12:00 PM**

**Day 2 – Friday, October 13, 2023 at 8:00 AM**

### LOCATION:

**Dream Inn**

**175 W Cliff Drive**

**Santa Cruz, CA 95060**

**Meeting Room: Beach View**

### MEMBERS PRESENT:

Tracey Matthews, City of Anaheim *(left at 11:00 AM on Friday, October 13, 2023)*

Jena Covey, City of Bakersfield

Betsy McClinton, City of Burbank

Christina Alger, City of Modesto Alternate

Rafaela King, City of Monterey

Derek Rampone, City of Mountain View *(arrived at 2:56 PM on Thursday, October 12, 2023)*

Numeya Williams, City of Ontario *(left at 11:00 AM on Friday, October 13, 2023)*

Sandra Blanch, City of Palo Alto *(arrived at 8:06 AM on Friday, October 13, 2023)*

Rhonda Combs, City of Salinas *(arrived at 12:04 PM on Thursday, October 13, 2023)*

Mark Howard, City of Santa Barbara *(left at 3:23 PM on Thursday, October 12, 2023)*

Marisa Kahn, City of Santa Barbara Alternate

Ross Brandon, City of Santa Cruz

Andrew Guzman, City of Visalia *(arrived at 12:15 PM on Thursday, October 12, 2023)*

### MEMBERS ABSENT:

Oles Gordeev, City of Santa Monica

### GUESTS AND CONSULTANTS:

Alvaro Valdez, City of Burbank Alternate *(left at 3:23 PM on Thursday, October 12, 2023)*

Sheila Shanahan, City of Monterey Alternate *(left at 3:23 PM on Thursday, October 12, 2023)*

Ben Oram, George Hills Company

*(excused from the meeting at 9:35 AM and re-joined at 10:50 AM on Friday, October 13, 2023)*

Daniel Howell, Alliant Insurance Services

*(joined at 12:43 PM on Thursday, October 12, 2023, excused from the meeting at 9:35 AM and re-joined at 10:50 AM on Friday, October 13, 2023)*

Conor Boughey, Alliant Insurance Services

*(excused from the meeting at 9:35 AM and re-joined at 10:50 AM on Friday, October 13, 2023)*

Lorissa Huey, Alliant Insurance Services

*(excused from the meeting at 9:35 AM and re-joined at 10:50 AM on Friday, October 13, 2023)*

Thomas Joyce, Alliant Insurance Services

*(left at 3:23 PM on Thursday, October 12, 2023, excused from the meeting at 9:35 AM and re-joined at 10:50 AM on Friday, October 13, 2023)*

P.J. Skarlanic, Alliant Insurance Services

*(left at 3:23 PM on Thursday, October 12, 2023, excused from the meeting at 9:35 AM and re-joined at 10:50 AM on Friday, October 13, 2023)*



Crystal Rubio, City of Bakersfield Assistant to the City Manager *(Thursday, October 12, 2023 only; left at 3:23 PM)*  
 Maria Stout, City of Bakersfield Administrative Analyst III *(Thursday, October 12, 2023 only; left at 3:23 PM)*  
 Charles Raibley, Crowe LLP *(Friday, October 13, 2023 only; joined at 8:30 AM and left at 9:30 AM)*

### A. CALL TO ORDER

Jena Covey called the meeting to order on Thursday, October 12, 2023 at 12:00 PM.  
 Jena Covey called the meeting to order on Friday, October 13, 2023 at 8:00 AM

### A1. Introductions

The Board Members, Guests and Consultants each went around the table to introduce themselves since there were many new Board Members in attendance.

### B. CONSENT CALENDAR

#### B1. Approval of Minutes for the June 15 & 16, 2023 Board Meeting

#### B2. Approval of Minutes for the August 8, 2023 Special Board Meeting

#### B3. Evidence of Coverage and Disclosure:

##### B3i. Alliant Crime Insurance Program (ACIP)

##### B3ii. Alliant Public Pool Liability (APPL)

##### B3iii. Alliant Deadly Weapon Response Program (ADWRP)

A motion was made to approve the consent calendar.

**MOTION:** Mark Howard    **SECOND:** Tracey Matthews    **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		
Nay													
Abstain													

### C. GENERAL RISK MANAGEMENT ISSUES

Ross Brandon, City of Santa Cruz asked the Board Members if any of them started writing a policy on Narcan to allow employees to administer it. Betsy McClinton, City of Burbank advised that the City has a draft and will post the policy on the ACCEL Discussion Board.

Ross explained how, following the probationary period, City Police Officers transition from wearing safety belts to safety vests. The Police Chief inquired about the potential long-term effects of wearing belts and whether the adoption of vests could decrease Workers' Compensation claims associated with back injuries.

Tracey Matthews commented that Anaheim Police Department moved to vests in 2016 and there was a study discussing that the weight distribution of the belt does put a strain on the lower back.

Betsy McClinton, City of Burbank Primary Board Member introduced Alvaro Valdez, City of Burbank Alternate Board Member. The Board welcomed Alvaro.

Numeya Williams, City of Ontario announced that the City is considering offering shower and laundry services in mobile units for the unhoused. The City is partnering with the County's Community Action Partnership. The City is no longer with Mercy House. This service will be taken in house and City staff will be running the facilities.

Conor Boughey stated that the City and County of San Francisco has these mobile units.

Mark Howard commented that there are non-profits that provide mobile units with shower and laundry facilities to serve individuals experiencing homelessness.

Ross Brandon reported that the City of Santa Cruz owns a shower trailer that is parked in a central location. There is security monitoring the trailer.

Rafaela King, City of Monterey asked the Members if there is a checklist for insurance requirements in contracts and what each Members' processes are at their Cities. Conor Boughey suggested to hire a retired risk consultant through PRISM's Enterprise Risk Consultants. Christina Alger, City of Modesto commented that in 2018, the City hired a risk consultant to analyze the City's Risk Department and found it to be a valuable resource.

Sheila Shanahan, City of Monterey wanted to know if other Cities are requiring insurance for block parties such as a birthday party with a bounce house in a residential neighborhood and if the City pays for the insurance. Members stated that if it is not on public property, then they do not require it. If it requires a permit, the homeowners will need to provide \$1M General Liability and can get that through their homeowners insurance, and Cities do not pay for the insurance. Jena Covey added that for the City of Bakersfield it has a vendor that the City refers the homeowner to.

Jena Covey, City of Bakersfield stated that Caltrans charges a fee to file a liability claim. Jena announced that the City of Bakersfield will be charging \$25 to file a tort claim.



### D. REPORTS

#### D1. President’s Report

##### D1a. Resolution 2324-03, Recognizing the Contributions of Charlotte Dunn

Jena Covey announced that Charlotte Dunn from the City of Visalia retired. Charlotte was a Board Member since 1998. She served as the Claims Committee Chair, active member of the Finance and Claims Committees.

A motion was made to approve the Resolution 2324-03, Recognizing the Contributions of Charlotte Dunn.

**MOTION:** Mark Howard    **SECOND:** Tracey Matthews    **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay													
Abstain													

##### D1b. CAJPA Conference Update

Jena Covey shared with the Board the positive experience from the CAJPA Conference. Members are encouraged to attend pooling conferences such as this one.

The conference was held at Harrah’s in South Lake Tahoe, California and is moving the location to the Tahoe Blue Event Center a couple blocks down.

##### D1c. City of Bakersfield Violence, Intervention, and Prevention Presentation

Maria Stout and Crystal Rubio from the City of Bakersfield’s Violence, Intervention and Prevention Division of the City Manager’s Office presented to the Board the City’s efforts to reduce gun violence. The City has reported positive results of a reduction in homicides, gang shootings, and Shotspotter alerts.

Members asked questions, which were addressed by Maria and Crystal.



### D1d. Board Member Peer Program

Lorissa Huey announced that the new Board Members are Alvaro Valdez, City of Burbank Alternate and Andrew Guzman, City of Visalia. Within ACCEL, new Members may be provided a Peer Board Member to help with orientation to the Board.

Jena Covey, City of Bakersfield volunteered to be a mentor to Andrew. Tracey Matthews, City of Anaheim and Betsy McClinton, City of Burbank Primary volunteered to be mentors to Alvaro.

### D2. Executive Committee’s Report

#### D2a. Updating 2023-24 Committee Assignments

Lorissa Huey reported that the Underwriting and Finance Committee have vacancies. There is one spot on the Underwriting Committee and two spots on the Finance Committee.

Tracey Matthews requested to be on the Underwriting Committee.

Alvaro Valdez and Andrew Guzman requested to be on the Finance Committee.

A motion was made to approve the committee assignments.

**MOTION:** Ross Brandon    **SECOND:** Betsy McClinton    **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafacla King	Derek Ramponne	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay													
Abstain													

### D3. Ad Hoc Committee’s Report

#### D3a. Report from August 10, 2023 Meeting: Legal Counsel Request for Quotes (RFQ)

Thomas Joyce reminded the Board that it issued a Request for Quote (RFQ) for General and/or Coverage Counsel. The Board created an Ad Hoc Committee and delegated authority to review law firms to serve as additional legal counsel to ACCEL.

The Ad Hoc Committee made a recommendation for ACCEL’s current Legal Counsel, Byrne Conley to remain the Primary General and Coverage Counsel, while the attorney panel will consist of Scott Vida, Pollak Vida & Barer and Robert Cutbirth, SBEMP Attorneys for coverage opinions, reservations



of rights, and other legal work required by ACCEL. Steve Brower, Brower Law Group will be utilized on special claims cases due to his high fee and value.

A motion was made to approve the proposed attorney panel as presented in the agenda packet, and direct the Program Administrators to obtain engagement letters from each attorney on the panel and the President to execute the engagement letters.

**MOTION:** Mark Howard    **SECOND:** Rafaela King    **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay													
Abstain													

#### D4. Underwriting Committee’s Report

##### D4a. Report of Exposures Reviewed by the Underwriting Committee

##### D4ai. Housing & Homelessness Programs at Member Agencies

Conor Boughey provided the Board a verbal update that the Underwriting Committee discussed housing and homelessness across the State.

Tracey Matthews noted that the City of Anaheim has dealt with claims concerning housing facilities involving issues related to sexual assault, race, gender identity, and instances of eviction due to parole violations. The Cities of Anaheim, Santa Ana, Tustin, and Huntington Beach collaborated to identify locations to covert to shelters. After accomplishing this, there were enough beds countywide to enforce the anti-camping laws. One of the non-profit organizations is the Salvation Army.

No reportable action took place.

##### D4aii. Member Operations - Veterinarian Services

During the June 2023 Board Meeting, the City of Burbank inquired whether veterinarians are covered under ACCEL’s Memorandum of Coverage (MOC). The Program Administrators surveyed the Member Agencies regarding this exposure. The Underwriting Committee determined that there is no coverage afforded under the ACCEL MOC and it is recommended that the Member purchases a separate policy for veterinarian services.

No reportable action took place.



### D4b. Proposed Changes to ACCEL’s Memorandum of Coverage (MOC) – Claims Reporting

Thomas Joyce explained that the Memorandum of Coverage (MOC) is ACCEL’s coverage document and contains its own reporting requirements. The excess carrier, Great American has broadened the reporting requirements. The Underwriting Committee reviewed to determine whether ACCEL’s reporting requirements in the MOC should match the excess insurance partners. The Committee made a recommendation to match the carrier’s reporting requirements retroactively to July 1, 2023, subject to amending the language to, “Any claim with an assigned trail date in the next 60 days” in ACCEL’s MOC instead of what the carrier has written, which was 30 days. The proposed changes were outlined in the agenda packet.

A motion was made to approve the proposed changes to the MOC retroactive to July 1, 2023. Direction was given to the Program Administrators to distribute to the Members, TPAs, and Counsel and include an excerpt in the email what the changes are.

**MOTION:** Tracey Matthews      **SECOND:** Ross Brandon      **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay													
Abstain													

### D5. Claims Committee's Report

#### D5a. 2023 Claims Audit Status

Lorissa Huey reported that Rob Powers, ACCEL’s Claim Auditor is in the process of the 2023 Claims Audit and Rob has provided a status of which Members’ audits are completed and still pending.

She informed the Board that the Claims Audit report is due to ACCEL on December 15 each year. The Claims Committee will meet to review the report prior to Rob presenting it at the January 2024 Board Meeting.

#### D5b. ACCEL’s Claims Auditor Renewal Contract

Lorissa Huey reminded the Board that at the June 2023 Board Meeting, direction was given to direct the Program Administrators to work with Rob Powers, ACCEL’s Claims Auditor on a renewal contract for a duration of three years at a flat rate. The 2023 Claims Audit is the last year on the current contract.



The Claims Committee reviewed the renewal contract and made a recommendation to the Board to execute the contract as presented in the agenda packet.

A motion was made to approve the Claims Committee’s recommendation.

**MOTION:** Tracey Matthews      **SECOND:** Betsy McClinton **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay													
Abstain													

### D5c. Proposed Changes: ACCEL Claims Reporting and Handling Policy and Procedure

Lorissa Huey reported that the excess carrier, Great American on the ACCEL Excess Liability Program has added more criteria to its claims reporting requirements. The Claims Reporting and Handling Policy and Procedure (P&P) helps outline the responsibility of the Members to report to ACCEL’s Claims Administrator who then reports to the excess carriers. The Claims Committee reviewed the new requirements with the ACCEL’s Claims Administrators and both are in agreement to add the new requirements, subject to amending the language to, “Any claim with an assigned trail date in the next 60 days” within the P&P instead of what the carrier has written, which was 30 days.

A motion was made to approve the proposed changes, and provide it the same time when sending out the revised Memorandum of Coverage as discussed in the prior Item Number D.4.b., including ACCEL’s Claims Auditor.

**MOTION:** Mark Howard      **SECOND:** Tracey Matthews **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay													
Abstain													





**D5d. CLOSED SESSION – Pursuant to Gov't Code 54956.95**

A motion was made to enter into Closed Session at 3:34 PM.

**MOTION:** Rhonda Combs **SECOND:** Numeya Williams **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Marisa Kahn	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X	X	X	X	X	X	X		X
Nay													
Abstain													

A motion was made to come out of Closed Session at 5:21 PM.

**MOTION:** Betsy McClinton **SECOND:** Tracey Matthews **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Marisa Kahn	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X	X	X	X	X	X	X		X
Nay													
Abstain													

Conor Boughey reported out of closed session that direction was given to the Claims Administrators.

**D6a-e. Financial and Treasurer's Report**

Thomas Joyce and Conor Boughey walked through the financial items.

Thomas pointed out that from the July 2023 Chandler statement to the August 2023 Chandler statement, there was an increase of \$10,000,000. This is the result of the Board taking action at the June 2023 Board Meeting to transfer \$10,000,000 from the short term account to the long term account once the July 1, 2023 premium deposits were received.

Conor Boughey discussed the Member Account Summary in great detail and noted that it represents the individual accounting for each Member of how ACCEL's money is flowing. It is in essence, the Member's balance sheet within the pool.



The Board decided to review whether it wants to move more money long term at the January 2024 Board Meeting.

A motion was made to approve the financial items.

**MOTION:** Tracey Matthews      **SECOND:** Rafaela King      **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X	X	X	X	X	X	X		X
Nay													
Abstain													

### D7. Finance Committee’s Reports

#### D7a. Financial Audit as of June 30, 2023

Charles Raibley, ACCEL’s Financial Auditor presented the Financial Audit as of June 30, 2023. He reported that there were no reportable findings.

The Finance Committee (FC) thoroughly reviewed the draft of the Financial Audit as of June 30, 2023 with Crowe LLP and the Program Administrators at the September 27, 2023 FC Meeting. The Committee took action to make a recommendation to the Board to receive and file the Financial Audit.

A motion was made to receive and file the Financial Audit as of June 30, 2023.

**MOTION:** Mark Howard      **SECOND:** Rafaela King      **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X	X	X	X	X	X	X		X
Nay													
Abstain													



**D7b. ACCEL Financial Audit Contract Renewal – Crowe LLP**

Conor Boughey reported that Crowe LLP has provided an Engagement Letter for two years ending in June 30, 2024 and 2025 with an increased fee from \$28,000. The in person fee is \$35,000 each year and the remote fee is \$33,000 each year.

At the September 27, 2023 Finance Committee (FC) Meeting, action was taken to make a recommendation to the Board to negotiate a three year proposal with a flat fee. After discussing with Joe Pieksza at Crowe, he was unable to agree to a three-year engagement.

Members had a roundtable discussion. Derek Rampone commented that it is best practice to issue a Request for Proposal every five years.

A motion was made to enter into the two year engagement letter for years ending in June 30, 2024 and 2025 for \$35,000 each year. Also, authority was delegated to the FC to determine if Crowe presents in person or virtually.

**MOTION:** Mark Howard    **SECOND:** Tracey Matthews    **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye	X	X	X	X	X		X	X	X	X	X		X
Nay						X							
Abstain													

**D7c. ACCEL’s Financial Plan Policy & Procedure – Proposed Changes**

Thomas Joyce reminded the Board that it took action to implement an Ex-Mod effective July 1, 2024. ACCEL’s Financial Plan Policy and Procedure (P&P) required an update to define the process to determine annual deposit premium calculations and the incorporation of the new Ex-Mod. The Financial Plan P&P falls under the Finance Committee’s (FC) purview and the FC took action at its September 2023 Committee Meeting to recommend to the Board to approve the proposed changes of the new section starting on page 4, Section II: Calculation of Annual Deposits as shown in the agenda packet.

A motion was made to approve the proposed changes as presented.



**MOTION:** Tracey Matthews

**SECOND:** Ross Brandon

**MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordecv	Andrew Guzman
Aye	X	X	X	X	X	X	X	X	X	X	X		X
Nay													
Abstain													

**D7d. Alliant Disclosure Presentation**

Conor Boughey reminded the Board that at the October 2020 Board Meeting, the Board directed the Finance Committee (FC) to review the Alliant Disclosure Presentation annually prior to the October Board Meeting.

Conor provided the Board a high level overview of the Alliant Disclosure Presentation PowerPoint per the FC’s direction from the September 7, 2023 FC Meeting.

At that Committee Meeting, authority was delegated to Marisa Kahn, FC Member to review the presentation in detail and report to the Board at the October 2023 Board Meeting. Marisa Kahn reported that there were no discrepancies.

No reportable action took place.

**D8. Program Administrator’s Report**

**D8a. 2023-24 Summary of Coverage**

Lorissa Huey presented the 2023-24 Summaries of Coverage for each Member. She explained that the Excess Liability, Standalone Terrorism, Supplemental Liability which is the Alliant Deadly Weapon Response Program (ADWRP), and optional Excess Workers’ Compensation information shown are the coverages that the Members purchase through ACCEL. These Summaries will be provided to the Members annually in August.

### **D8b. Early Review of Market Conditions:**

#### **D8bi. Excess Liability**

#### **D8bii. Excess Workers' Compensation**

#### **D8biii. Property**

Conor Boughey provided the Board information about the insurance market conditions for Excess Liability, Excess Workers' Compensation, and Property.

He explained that for Liability there is continued pricing pressure due to increased claim values and claim frequency. For Workers' Compensation (WC), payroll increases have been significant and the rates are expected to be moderately increasing. The WC applications are now requesting for more underwriting information on high occupancy locations.

The Property Market is the most challenged due to inflation driving valuation concerns, national and regional loss trends are amplifying size of losses, which leads to higher premiums.

Members asked questions, which were addressed by the Alliant team.

### **D8c. Intro to Alternative Risk Transfer**

P.J. Skarlanic presented to the Board a PowerPoint about Alternate Risk Transfer (ART) solutions for liability exposures.

ART solutions are growing in popularity as a result of the current insurance market conditions. ART solutions come in many forms and are customizable to each placement, but typically will include the following features: multi-year terms, retrospective rating calculations, guaranteed minimum and maximum premiums, no loss bonuses and commutation agreements.

Members asked questions, which were addressed.

### **D8d. ACCEL Banking Partners**

Conor Boughey updated the Board that ACCEL's banking partner Union Bank was acquired by US Bank. The transition started May 30, 2023. Tami Giovanni, ACCEL's Bookkeeper and Program Administrators are working with US Bank to ensure they are complying with ACCEL's Accounting Guide which outlines who has authority to make administrative changes, sign checks, transfer money, and wire funds.

## **D8e. ACCEL Website**

Lorissa Huey provided a verbal update that the Alliant Informational Technology Department were conducting tests on the ACCEL Discussion Forum with respects to post content in e-mail notifications.

## **E. UNFINISHED BUSINESS**

### **E1. Hallmark Cut Through Endorsement**

Dan Howell reported that Alliant is in the process of working with Hallmark about whether it can obtain a cut-through endorsement or a cancel rewrite policy with Starstone. At the last Board Meeting, it was announced that Hallmark's AM Best rating has deteriorated to a rating of B++ (very good) on May 5, 2022, and further to C++ (marginal) on May 9, 2023. It is possible that Hallmark will go into liquidation and not pay its claims liabilities.

No reportable action took place.

### **E2. Feedback on Recorded Webinar ACCEL's 2023 Recovery Plan Update**

Lorissa Huey reminded the Board that it directed the Program Administrators to record a webinar about ACCEL's financial update every year prior to the October Board Meeting so that Members can provide it to their Finance Directors.

She noted that on September 29, 2023, the Program Administrators e-mailed all the Board Members, 1) a thirty minutes recorded webinar on ACCEL's Recovery Plan Fall Update 2023 and 2) each Members' three year cost projection letter dated September 22, 2023 again for reference to use in conjunction with the webinar.

Lorissa solicited the Board for feedback.

Sheila Shanahan, City of Monterey provided positive feedback.

### **E3. ACCEL's Recovery Plan - Negative Net Position Charge**

Conor Boughey reminded the Board that as part of the corrective funding plan established from the October 2020 Strategic Planning and Board Meeting, the Board's goal was to adopt a negative net position charge of 10% of the prior year's negative position.

This item is reviewed at the October Board Meeting when ACCEL receives the Financial Audit as of June 30, 2023. The financial audit resulted in a negative net position of \$4,637,240.

A motion was made to invoice the Members the net position surcharge in the amount of \$463,724 and update the three year cost projection letters.



**MOTION:** Rafaela King      **SECOND:** Mark Howard      **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye		X	X	X	X	X		X	X	X	X		X
Nay													
Abstain													

### E4. Foreign Travel Quote

Thomas Joyce reported that the Board requested a quote to cover exposure relating to the foreign travel of ACCEL Members. Chubb provided a quote to ACCEL on its International Advantage program. It includes coverage for Commercial General Liability, Contingent Auto Liability, Employer’s Responsibility, Travel Accident & Sickness, and Accidental Death & Dismemberment.

A motion was made to bind coverage effective October 13, 2023, and at July 1, 2024 cancel and rewrite to align the policy terms with the other purchased coverages. Also, the Board will need to amend the Bylaws to authorize ACCEL to purchase primary coverage.

**MOTION:** Jena Covey      **SECOND:** Rhonda Combs      **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye		X	X	X	X	X		X	X	X	X		X
Nay													
Abstain													

### F. NEW BUSINESS

#### F1. ACCEL Retro – Administratively Suspending Years

Conor Boughey reported that to administratively suspend the ACCEL Retro program years, the Program Administrators would like to evaluate the number of claims that are open in years prior to FY 2014-15. Conor asked the Members to review their open claims loss run and report the claims that are open prior to that year, and if any of those claims have exposure excess of \$1,000,000 before the June Board Meeting. The Program Administrators will bring this item back as an Action Item at the June 2024 Board Meeting.

The purpose of this is the Retro calculation continues to be re-run each program year, and the net change in the results of the calculation are having very little impact on the calculation due to maturity of the years being calculated.

No reportable action took place, the Program Administrators will survey the Members to check if they have any open claims that may impact the calculation.

## **F2. ACCEL Commutation of Coverage and Consideration of Portfolio Transfer**

Dan Howell explained that ACCEL provides Members with per occurrence coverage and most claims are reported to ACCEL within three years of the date of occurrence. However, some claims may arise many years later, such as allegations of sexual misconduct. These claims may arise so many years removed from the program year, deposit premiums in that year may have already been returned to Members, and significant assessments may result. Dan advised that to avoid this, the Board may want to explore the option of purchasing a Loss Portfolio Transfer or commuting Member coverage.

Direction was given to the Program Administrators to bring this item back at the June 2024 Board Meeting as an information item, and further discuss at the October 2024 Strategic Planning.

## **F3. Service Providers Evaluations**

### **F3i. Claims Administrators**

### **F3ii. Program Administrators**

Lorissa Huey reminded the Board that ACCEL has paused its annual Service Provider Surveys for 2022/23. After numerous discussions, the Board decided to only evaluate the Program Administrators and Claims Administrators each year at the October Board Meeting in person. New metrics were created and were sent to the Board separately from the agenda packet. The Scope of Work for each Administrators' Contracts were provided to help guide the discussion.

George Hills and Alliant recused themselves from the meeting room while the Board conducted the Service Provider Evaluations.

Tracey Matthews, Claims Committee Chair and Jena Covey, ACCEL President will have a meeting with the Claims Administrator, George Hills to report the results.

Ross Brandon, ACCEL Vice President and Jena Covey, ACCEL President will have a meeting with the Program Administrators, Alliant to report the results.





### F4. Planning for 2024/25 Strategic Planning (SP)

Lorissa Huey explained that the Strategic Planning (SP) is held every two years. The past two years, it was held in conjunction with the October Board Meeting.

The Members agreed to begin the Strategic Planning on Thursday morning, October 17, 2024 at 8:00 AM prior to the Board Meeting. The Board Meeting will begin at 12:00 PM on October 17, 2024. The following day, Friday, October 18, 2024 at 8:00 AM will be the continuation of the Board Meeting. Members will travel to Bakersfield the day before, Wednesday, October 16, 2024.

Lorissa asked the Members what topics they want to discuss at the SP. Members requested to discuss Communication of Coverage and Feasibility Study of a Property Program.

### F5. Proposed 2024 Meeting Calendar

Lorissa Huey stated that at the October Board Meeting each year, the Board adopts a meeting calendar for the following calendar year.

A motion was made to adopt the 2024 Meeting Calendar subject to changing the January location from San Francisco Alliant Office to the Irvine Alliant Office.

**MOTION:** Rafaela King      **SECOND:** Ross Brandon      **MOTION CARRIED**

	Tracey Matthews	Jena Covey	Betsy McClinton	Christina Alger	Rafaela King	Derek Rampone	Numeya Williams	Sandra Blanch	Rhonda Combs	Mark Howard	Ross Brandon	Oles Gordeev	Andrew Guzman
Aye		X	X	X	X	X		X	X	X	X		X
Nay													
Abstain													

### F6. Schedule of the Next Two Board of Directors Meetings

The next two Board Meetings will be held at the Alliant Irvine Office on Thursday and Friday, January 18 and 19, 2024 and at Burbank on Thursday and Friday, March 21 and 22, 2024. Both meetings will start at 12:00 PM on Thursdays and 8:30 AM on Fridays unless otherwise stated.



**G. CORRESPONDENCE / INFORMATION**

**G1. Fireline Defense, LLC Wildfire Risk Assessments** – There was no discussion on this item.

**G2. 2024 PARMA Conference – 50th Anniversary** – There was no discussion on this item.

**H. PUBLIC COMMENTS** – There were no public comments.

**ADJOURNMENT**

Jena Covey adjourned the meeting on Thursday, October 12, 2023 at 5:22 PM.

Jena Covey adjourned the meeting on Friday, October 13, 2023 at 12:03 PM.