

California Association for Park and Recreation Indemnity

Board of Directors

President, Dean Wetter
Vice President, Larry Mazzuca
Secretary, Colin Miller

Directors

Ms. Lorena Cervantes
Mr. Jim Friedl
Mr. Mathew Fuzie
Mr. Lindsay Woods

REGULAR MEETING OF THE BOARD OF DIRECTORS

10:00 a.m. – Friday, November 20, 2020

In accordance with Governor Newsom’s Executive Order N-29-20, California Association for Park and Recreation Indemnity and Staff will be participating in the meetings via teleconference. In the interest of maintaining appropriate social distancing, any member of the public has an opportunity to address the Board from a teleconference location in the same manner as if that person attended the regular meeting location. The Board will control the conduct of the meeting and determine the appropriate order and time limitations on public comments from teleconference locations.

Zoom Webinar:

<https://us02web.zoom.us/j/89119982565?pwd=KzRsTXRkMIFqMDJlV0FOT0QrNktZQT09>

Passcode: 939276

(from a PC, iPad, iPhone, or Android device)

*Note: Agenda posting and meeting are done in accordance with Ralph M. Brown Act
Government Code § 54954.2 and 54953*

Agenda
Regular Meeting of the Board of Directors
November 20, 2020

1. CALL TO ORDER

2. INTRODUCTIONS

3. PUBLIC COMMENTS

This time is reserved for members of the public to address the Board relative to matters of the CAPRI not on the agenda. No action may be taken on non-agenda items unless authorized by law.

Welcome to our Board of Directors Meeting. The Board encourages public participation. Please note that if you address the Board on items NOT on the Agenda, the Brown Act does not allow discussion of such items. Therefore, the Board may only do the following: refer the matter to staff, ask for additional information, request a report back, or give a very limited factual response.

4. CLOSED SESSION

Pursuant to Government Code Section 54957.1, the Board must report in open session any action taken, or lack thereof, taken in closed session.

4.1 Liability & Property – Existing Litigation Pursuant to Government Code § 54956.9(d)(1)

- Alward v. Greater Vallejo Recreation & Park District
- Beliso v. Arcade Creek Recreation & Park District
- Duran v. Fair Oaks Recreation & Park District
- Keener v. Rancho Simi Recreation & Park District
- Watson v. Orangevale Recreation & Park District
- Williams v. Hayward Area Recreation & Park District
- Carmichael Property Claims
- CAPRI \$5K Summary

4.2 Worker's Compensation – Existing Litigation Pursuant to Government Code § 54956.9(d)(1)

- Krieg v. Tuolumne Recreation & Park District
- Martinez v. Livermore Recreation & Park District
- Moss v. North of the River Recreation & Park District
- Vasquez v. Livermore Recreation & Park District
- 2020 CAPRI Settlements

4.3 Public Employee Evaluation – Performance Review Pursuant to Government Code § 54957

- Executive Director

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5. REPORT FROM CLOSED SESSION

Pursuant to Government Code Section 54957.1, the Board must report in open session any action taken, or lack thereof, taken in closed session.

6. CONSENT ITEMS

The following items are expected to be routine and non-controversial and will be acted upon by the Board at one time without discussion, unless a Board member requests that an item be removed from the consent agenda and held for discussion.

6.1 Approval of CAPRI Board Minutes

- August 19, 2020

6.2 LAIF Regular Monthly Statement – October 2020

6.3 Warrant Listings for the months July 2020 – September 2020

6.4 Statement of Net Position

6.5 Statement of Revenue and Expenses Budget to Actual

6.6 Statement of Revenue, Expenses, and Change in Net Position

7. PULLED CONSENT ITEMS

8. SPECIAL REPORTS

CAPRI consultants and Staff will report on the following topics:

8.1 WC Program Status Report – Sedgwick

8.2 General Liability Program Status Report

8.3 Property Program Status Report

8.4 Insurance Market Update – Alliant Insurance Services

8.5 Investment Status Report – PFM

9. DISCUSSION/ACTION ITEMS

The CAPRI Board of Directors will review and discuss taking appropriate action or inaction with respect to the following matters:

9.1 Investment Policy Review

- The Board shall review and discuss the CAPRI Investment Policy and consider proposed revisions.

9.2 Approval of 2019/2020 WC Final Payroll

- The Board shall review and approve the 2019/2020 WC Final Payroll.

9.3 Workers' Compensation Premium Review

- The Board shall review and discuss the 2020-2021 Workers' Compensation Premiums in light of projected payroll decreases flowing from the COVID-19.

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- 9.4 **CAPRI WC Volunteer Reporting Policy**
 - The Board shall review and discuss CAPRI policy with respect to reporting volunteer hours in the final payroll and the proposed Volunteer Toolkit and then provide direction accordingly.
- 9.5 **Resolution No. 4 -2020 – WC Coverage to Volunteers**
 - The Board shall review and consider the adoption of a resolution confirming Workers' Compensation coverage to volunteers of member districts.
- 9.6 **Law Enforcement Liability Review**
 - The Board shall review CAPRI's law enforcement general liability coverage and historic premiums, consider available options for deductibles and sub-limits, and then provide direction accordingly.
- 9.7 **WC MOC Review**
 - The Board shall review and discuss whether the CAPRI Workers' Compensation Memorandum of Coverage should be revised and provide direction accordingly.
- 9.8 **CAPRI BOD Meeting Calendar 2021**
 - The Board shall review and approve the 2021 CAPRI BOD Meeting Calendar.
- 9.9 **Executive Director Contract Review**
 - The Board shall review and discuss the Employment Contract of the Executive Director and determine whether to authorize the President of the Board to execute an amendment to the agreement.
- 10. **EXECUTIVE DIRECTOR/STAFF REPORTS**

The Executive Director and Staff will report on the following topics:

 - 10.1 **District Visits Update**
 - 10.2 **CARPD Update**
 - 10.3 **CAPRI Staff Update**
 - 10.4 **BOD Election Update**
 - 10.5 **ADA Compliance Program & Trainings Update**
 - 10.6 **CAPRI Website Update**
 - 10.7 **News of Note**

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11. BOARD MEMBER REPORTS

11.1. Board Member Comments

12. FUTURE AGENDA ITEMS

This section is reserved for items identified by Board members and Staff as matters for future Board business.

FUTURE ITEMS

- CAPRI Board Member Orientation Packet
- 2020-2021 Budget Review
- CAPRI Employee Handbook Review
- Board Manual Review
- CAPRI Bylaws Review
- New Member Review - Cazadero

13. ANNOUNCEMENTS

The next CAPRI Board of Directors meeting will be held on a date of convenience for the CAPRI Board Members on November 19, 2020 at 10:00 a.m. at the CAPRI Office in Roseville, CA.

14. ADJOURNMENT

BOARD OF DIRECTORS REGULAR MEETING

Via Zoom Webinar

August 19, 2020

MINUTES

1. CALL TO ORDER:

Due to the stay-at-home order by the Governor of California the regular meeting of the Board of Directors was held on August 19, 2020 via Zoom Webinar. The Meeting was called to order by President Wetter at 10:06 a.m.

Members Present via Zoom: President Dean Wetter, Vice President Larry Mazzuca, Secretary Colin Miller, Director Lorena Cervantes, Director Jim Friedl, Director Mathew Fuzie, and Director Lindsay Woods. Note: Director Lindsay Woods did not participate in closed session and joined the Meeting once closed session was completed. Director Friedl joined the meeting at 11:50 a.m. during Item 8.1.

CAPRI Staff Present via Zoom: Executive Director Mr. Matthew Duarte, Safety Analyst Kirk Andre, and Administrative Assistant, Jordan Coyle.

Others Present via Zoom: Mr. Byrne Conley (Gibbons & Conley), Mr. Doug Wozniak (Alliant Insurance). Mr. Chuck Torretta (George Hills), Ms. Dori Zumwalt (Segdwick), Ms. Allison Kaune (PFM), and one other member of the public.

2. INTRODUCTION:

None.

3. PUBLIC COMMENTS:

None.

4. CLOSED SESSION:

The Board convened to Closed Session at 10:07 a.m. regarding the following matters:

4.1 **Liability & Property – Existing Litigation Pursuant to Government Code § 54956.9(d)(1)**

- CAPRI v. PG&E/Paradise Property Claim
- Watson v. Orangevale Recreation & Park District
- FEC Property Claim
- Mt. Shasta Property Claim
- North of the River Property Claim
- CAPRI \$5K Summary

4.2 **Worker’s Compensation – Existing Litigation Pursuant to Government Code § 54956.9(d)(1)**

- Arp v. Livermore Recreation & Park District
- Emhoff v. North of the River Recreation & Park District
- Freitas v. Durham Recreation & Park District
- Krieg v. Tuolumne Recreation & Park District
- 2020 CAPRI Settlements
- 2020 Closed Claims

4.3 **Anticipated Litigation Pursuant to Government Code section § 54956.9(d)(2) (significant exposure to litigation)**

- One (1) potential case

5. REPORT FROM CLOSED SESSION:

Pursuant to Government Code Section 54957.1, the Board must report in open session any action taken, or lack thereof, taken in closed session.

No reportable action.

The Board concluded Closed Session at 11:31 a.m. and then took a break until 11:45 a.m. Open Session reconvened at 11:45 a.m. wherein Director Lindsay Woods was then admitted into the Open Session Zoom meeting.

6. CONSENT AGENDA:

- 6.1 **Approval of CAPRI Board Minutes**
 - June 24, 2020
- 6.2 **LAIF Regular Monthly Statement – July 2020**
- 6.3 **Warrant Listings for the months April 2020 – June 2020**

- 6.4 Statement of Net Position
- 6.5 Statement of Revenue and Expenses Budget to Actual
- 6.6 Statement of Revenue, Expenses, and Change in Net Position

MOTION:

*Director Larry Mazzuca, made a motion to approve consent items #6.1 – #6.6.
Director Lindsay Woods, seconded the motion.*

*Ayes: Wetter, Mazzuca, Miller, Cervantes, Fuzie, and Woods
Nays: None
Abstain: None*

7. PULLED CONSENT ITEMS:

None.

8. SPECIAL REPORTS:

8.1 Investment Status Report – Allison Kaune, PFM

Ms. Allison Kaune with PFM provided a report on the status of CAPRI’s investment holdings. Ms. Kaune noted that the investment portfolio remains consistent with CAPRI policy.

8.2 Insurance Market Update – Doug Wozniak, Alliant Insurance Services

Mr. Doug Wozniak with Alliant Insurance Services provided a brief report on the status of the insurance market following the recent renewal period. Mr. Wozniak also reported that the market is expecting losses in the range of \$40B-\$100B flowing from COVID-19. Mr. Wozniak noted the current wildfires occurring throughout California and is estimating continued rate increases on property across all sectors between 20-40%. Furthermore, the casualty market continues to struggle as excess carriers are having ongoing capacity issues.

9. DISCUSSION/ACTION ITEMS:

9.1 2020-2021 BUDGET REVISION

Executive Director Duarte reported on the proposed revisions to the 2020-2021 CAPRI Budget necessary following receipt of the final renewal premiums and in consideration of the proposed revisions to the salary schedule for the Administrative Analyst position.

MOTION:

Director Lindsay Woods made a motion to approve the proposed revisions to the 2020-2021 CAPRI Budget. Director, Lorena Cervantes seconded the motion.

*Ayes: Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods
Nays: None
Abstain: None*

9.2 FINAL PAYROLL REVIEW

Executive Director reviewed and discussed the projected Final Payroll figures after receipt of several final payroll reports and following discussions with the membership. Staff highlighted the exigent circumstances which warranted consideration of expediting the final payroll process.

MOTION:

Vice President Larry Mazzuca made a motion to direct Staff to continue processing Final Payroll calculations and, upon completion, issue invoices and any refunds. Secretary Colin Miller seconded the motion.

Ayes: *Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods*

Nays: *None*

Abstain: *None*

9.3 WORKER'S COMPENSATION PREMIUM REVIEW

Executive Director Duarte reviewed and discussed the proposal to revise and reduce invoiced premiums for Quarter Two 2020-2021 Workers' Compensation Premiums in light of projected payroll decreases flowing from the COVID-19.

MOTION:

Director Lindsay Woods made a motion to authorize staff to revise and reduce invoiced premiums for Q2 by 10% to reflect anticipated payroll reductions in member agencies. Director, Mat Fuzie, seconded the motion.

Ayes: *Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods*

Nays: *None*

Abstain: *None*

9.4 WORKERS' COMPENSATION DIVIDENDS

The Board reviewed and discussed whether the issuance of dividends in the Workers' Compensation program was warranted this fiscal year.

MOTION:

Director Lorena Cervantes made a motion to follow staff recommendation to decline issuing dividends from the Workers' Compensation program this fiscal year. Vice President Larry Mazzuca seconded the motion.

Ayes: *Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods*

Nays: *None*

Abstain: *None*

9.5 LIABILITY/PROPERTY DIVIDENDS

The Board reviewed and discussed whether the issuance of dividends in the Liability & Property program was warranted this fiscal year.

MOTION:

Director Jim Friedl made a motion to follow staff recommendation to decline issuing dividends from the Liability/Property program this fiscal year. Director Lindsay Woods seconded the motion.

Ayes: Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods

Nays: None

Abstain: None

9.6 CONFLICT OF INTEREST POLICY REVIEW

The Board reviewed the CAPRI Conflict of Interest Code and whether amendments were necessary.

MOTION:

Director Lindsay Woods made a motion that no amendments were necessary and to direct staff to complete the 2020 Local Agency Biennial Notice marking "No amendments necessary." Secretary, Colin Miller, seconded the motion.

Ayes: Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods

Nays: None

Abstain: None

9.7 WORKER'S COMPENSATION AUDIT RESULTS

The Board reviewed and discussed the results of the Workers' Compensation Audit has conducted by ALC Claims Collaborations. Information Only. No action taken.

9.8 ADMINISTRATIVE ANALYST JOB DESCRIPTION UPDATE

The Board reviewed the proposed revisions to the Administrative Analyst job description.

MOTION:

Director Lindsay Woods made a motion to approve the updated Administrative Analyst job description. Director Jim Friedl seconded the motion.

Ayes: Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods

Nays: None

Abstain: None

9.9 CAPRI BOD ELECTION

The Board reviewed and discussed the time and manner of the 2020 CAPRI Board Election.

MOTION:

Secretary Colin Miller made a motion to approve the time and manner of the 2020 CAPRI Board Election. Vice President Larry Mazzuca seconded the motion.

*Ayes: Wetter, Mazzuca, Miller, Cervantes, Friedl, Fuzie, and Woods
Nays: None
Abstain: None*

10. EXECUTIVE DIRECTOR/STAFF REPORTS:

10.1 District Visits Update

The Board of Directors had no comments or questions on this writeup.

10.2 Office Update

The Board of Directors had no comments or questions on this writeup.

10.3 Board Retreat Update

The Board of Directors had no comments or questions on this writeup.

10.4 News of Note

The Board of Directors had no comments or questions on this writeup.

11. BOARD MEMBER REPORTS:

The Board of Directors had no comments or questions on this item.

12. FUTURE AGENDA ITEMS:

The Board of Directors had no comments or questions on this item.

13. ANNOUNCEMENTS:

The next CAPRI Board of Directors meeting will be held on November 20, 2020 at 10:00 a.m. at the CAPRI Office in Roseville, CA or again via Zoom.

14. ADJOURNMENT:

The Board adjourned the meeting at 1:02 p.m.

Colin Miller,
Secretary for the CAPRI Board of Directors

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
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(916) 653-3001

November 05, 2020

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CALIFORNIA ASSOCIATION FOR PARK AND
RECREATION INDEMNITY
ADMINISTRATOR
6341 AUBURN BOULEVARD, SUITE A
CITRUS HEIGHTS, CA 95621-5203

[Tran Type Definitions](#)

Account Number: 35-34-007

October 2020 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
10/15/2020	10/14/2020	QRD	1656527	N/A	SYSTEM	1,732.94

Account Summary

Total Deposit:	1,732.94	Beginning Balance:	110,558.16
Total Withdrawal:	0.00	Ending Balance:	112,291.10

**California Association for Park and Recreation Indemnity
Transaction Report
July - September, 2020**

Date	Transaction Type	Name	Split	Amount	Balance
Beginning					320,472.14
07/01/2020	Bill Payment (Check)	SearchPros	Part-Time Services	-754.00	319,718.14
07/01/2020	Bill Payment (Check)	PFM Asset Management, LLC	Investment Advisors	-2,677.90	317,040.24
07/01/2020	Bill Payment (Check)	Coverall North America	Building Services/Repairs	-199.00	316,841.24
07/01/2020	Credit Card Payment	Bank of the West CC	Bank of the West CC - Kirk	-245.29	316,595.95
07/01/2020	Bill Payment (Check)	Kirk Andre	Telephone	-50.00	316,545.95
07/02/2020	Bill Payment (Check)	California Computer Services (Corp)	Telephone	-750.00	315,795.95
07/02/2020	Bill Payment (Check)	SearchPros	Part-Time Services	-452.40	315,343.55
07/03/2020	Bill Payment (Check)	MUFG Union Bank, N.A.	Bank Service Charges	-918.00	314,425.55
07/06/2020	Bill Payment (Check)	Gilbert Associates, Inc.	Financial Accounting	-5,378.38	309,047.17
07/06/2020	Deposit	Matthew Duarte	Travel/Meetings	9.99	309,057.16
07/07/2020	Check	York Risk Services Group, Inc	Claims Trust Accounts:Umqua Bank - Workers' Comp 5432	-23,855.00	285,202.16
07/07/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-22,500.00	262,702.16
07/07/2020	Bill Payment (Check)	SpanishOne Plus	Accounts Payable	-418.50	262,283.66
07/07/2020	Bill Payment (Check)	Office Depot	Office Supplies	-517.99	261,765.67
07/07/2020	Bill Payment (Check)	Arcade Creek Office Park Owners' Assn	CAM & Project Reserves	-2,141.13	259,624.54
07/07/2020	Bill Payment (Check)	Purchase Power	Postage and Delivery	-400.42	259,224.12
07/07/2020	Bill Payment (Check)	California Computer Services (Corp)	Telephone	-201.24	259,022.88
07/07/2020	Bill Payment (Check)	Plexus Global, LLC	Misc. Office Expense	-22.25	259,000.63
07/07/2020	Transfer		Bank of the West - MM	200,000.00	459,000.63
07/09/2020	Check	York Risk Services Group, Inc	Claims Trust Accounts:Umqua Bank - Workers' Comp 5432	-124,623.19	334,377.44
07/09/2020	Bill Payment (Check)	California Computer Services (Corp)	Telephone	-62.50	334,314.94
07/10/2020	Expense	ADP Payroll Fees	Payroll Service Fee	-63.32	334,251.62
07/11/2020	Credit Card Payment	Bank of the West CC	Bank of the West CC - Matt	-6,917.06	327,334.56
07/13/2020	Deposit		Accounts Receivable	74,182.75	401,517.31
07/14/2020	Bill Payment (Check)	George Hills Company	Claims Management	-10,977.00	390,540.31
07/14/2020	Bill Payment (Check)	York Risk Services Group, Inc	Claims Management	-18,160.00	372,380.31
07/14/2020	Bill Payment (Check)	PFM Asset Management, LLC	Investment Advisors	-2,664.19	369,716.12
07/14/2020	Bill Payment (Check)	SearchPros	Part-Time Services	-150.80	369,565.32
07/14/2020	Bill Payment (Check)	Smile Business Products	Copier Service/Repair	-194.13	369,371.19
07/14/2020	Bill Payment (Check)	Kirk Andre	Payroll Tax Refund	-339.58	369,031.61
07/14/2020	Bill Payment (Check)	Matthew Duarte	Payroll Tax Refund	-869.03	368,162.58
07/14/2020	Deposit		Accounts Receivable	31,731.75	399,894.33
07/15/2020	Journal Entry		Salaries	-11,237.07	388,657.26
07/15/2020	Check	Bertha Pearson	Bebe Vacation Payout	-2,901.42	385,755.84
07/15/2020	Journal Entry		Sale of Building	372,296.55	758,052.39
07/15/2020	Journal Entry		Pers Contributions	-2,219.00	755,833.39
07/15/2020	Journal Entry		Taxes	-2,255.96	753,577.43
07/17/2020	Check	York Risk Services Group, Inc	Claims Trust Accounts:Umqua Bank - Workers' Comp 5432	-55,257.55	698,319.88
07/17/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-54,432.21	643,887.67
07/17/2020	Bill Payment (Check)	Golden State Risk Management Authority	Medical	-3,401.31	640,486.36
07/17/2020	Bill Payment (Check)	York Risk Services Group, Inc	Claims Management	-18,704.83	621,781.53
07/17/2020	Bill Payment (Check)	Gibbons & Conley	Legal Fees	-1,499.06	620,282.47
07/17/2020	Bill Payment (Check)	Streamline	IT Services	-100.00	620,182.47

07/20/2020	Check		Bank Service Charges	-48.87	620,133.60
07/21/2020	Deposit		Accounts Receivable	855,080.75	1,475,214.35
07/21/2020	Bill Payment (Check)	Gilbert Associates, Inc.	Financial Accounting	-2,431.00	1,472,783.35
07/22/2020	Deposit		Subrogation Recovery	1.00	1,472,784.35
07/22/2020	Deposit		Accounts Receivable	124,562.00	1,597,346.35
07/23/2020	Deposit		Accounts Receivable	38,346.25	1,635,692.60
07/24/2020	Expense	ADP Payroll Fees	Payroll Service Fee	-63.32	1,635,629.28
07/24/2020	Deposit		Accounts Receivable	135,442.00	1,771,071.28
07/27/2020	Deposit		Subrogation Recovery	83,896.45	1,854,967.73
07/27/2020	Transfer		LAIF-LAIF - 35-34-007	2,500,000.00	4,354,967.73
07/28/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-108,689.84	4,246,277.89
07/28/2020	Bill Payment (Check)	CSAC Excess Insurance Authority	Insurance	-708,270.00	3,538,007.89
07/28/2020	Bill Payment (Check)	Alliant Insurance Services	Insurance	-2,563,980.19	974,027.70
07/28/2020	Bill Payment (Check)	Alliant Insurance Services	Insurance	-105,000.00	869,027.70
07/28/2020	Deposit		Accounts Receivable	988,302.75	1,857,330.45
07/28/2020	Bill Payment (Check)	Alliant Insurance Services	Insurance	-4,526.17	1,852,804.28
07/28/2020	Bill Payment (Check)	Alliant Insurance Services	Insurance	-17,654.00	1,835,150.28
07/28/2020	Bill Payment (Check)	Bay Alarm	Building Services/Repairs	-691.33	1,834,458.95
07/28/2020	Bill Payment (Check)	Gilbert Associates, Inc.	Financial Accounting	-350.00	1,834,108.95
07/28/2020	Bill Payment (Check)	SMUD	Utilities	-465.41	1,833,643.54
07/29/2020	Deposit		Accounts Receivable	85,553.50	1,919,197.04
07/29/2020	Bill Payment (Check)	Alliant Insurance Services	Insurance	-5,235.87	1,913,961.17
07/30/2020	Deposit		Accounts Receivable	166,351.25	2,080,312.42
07/30/2020	Bill Payment (Check)	PFM Asset Management, LLC	Investment Advisors	-2,566.81	2,077,745.61
07/30/2020	Check	CalPERS	PERS Unfunded Liability	-5,289.94	2,072,455.67
07/31/2020	Journal Entry		Pers Contributions	-1,731.27	2,070,724.40
07/31/2020	Bill Payment (Check)	Purchase Power	Postage and Delivery	-100.00	2,070,624.40
07/31/2020	Bill Payment (Check)	California American Water	Utilities	-215.16	2,070,409.24
07/31/2020	Journal Entry		Taxes	-2,168.53	2,068,240.71
07/31/2020	Journal Entry		Salaries	-9,152.64	2,059,088.07
07/31/2020	Deposit		Accounts Receivable	173,815.75	2,232,903.82
07/31/2020	Check	York Risk Services Group, Inc	Claims Trust Accounts:Umqua Bank - Workers' Comp 5432	-66,567.07	2,166,336.75
08/01/2020	Expense		Bank of the West CC - Kirk	-791.92	2,165,544.83
08/03/2020	Check	Bertha Pearson	Bebe Severance Payout	-6,810.75	2,158,734.08
08/03/2020	Deposit		Accounts Receivable	571,799.25	2,730,533.33
08/04/2020	Deposit		Subrogation Recovery	27,965.48	2,758,498.81
08/05/2020	Bill Payment (Check)	California Computer Services (Corp)	Telephone	-197.50	2,758,301.31
08/05/2020	Bill Payment (Check)	Kirk Andre	District Visitation	-151.21	2,758,150.10
08/05/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-68,096.50	2,690,053.60
08/05/2020	Deposit	Belvedere-Tiburon Joint Recreation	Accounts Receivable	2,000.00	2,692,053.60
08/06/2020	Deposit		Accounts Receivable	34,213.75	2,726,267.35
08/07/2020	Bill Payment (Check)	All Star Printing	Printing	-1,078.58	2,725,188.77
08/07/2020	Bill Payment (Check)	Gilbert Associates, Inc.	Financial Accounting	-4,663.32	2,720,525.45
08/07/2020	Bill Payment (Check)	MUFG Union Bank, N.A.	Bank Service Charges	-888.00	2,719,637.45
08/07/2020	Expense	ADP Payroll Fees	Payroll Service Fee	-63.32	2,719,574.13
08/07/2020	Deposit	McFarland Recreation and Park District	Accounts Receivable	30,277.25	2,749,851.38
08/10/2020	Deposit		Accounts Receivable	500,101.25	3,249,952.63
08/11/2020	Expense		Bank of the West CC - Matt	-963.81	3,248,988.82
08/12/2020	Check	CSAC Excess Insurance Authority	Insurance	-1,019,985.00	2,229,003.82
08/12/2020	Bill Payment (Check)	Jordan Coyle	Office Supplies	-21.43	2,228,982.39
08/12/2020	Deposit	CARPD	Due From CARPD	1,869.57	2,230,851.96
08/13/2020	Deposit	Isla Vista Recreation and Park District	Accounts Receivable	28,863.00	2,259,714.96
08/13/2020	Bill Payment (Check)	Gibbons & Conley	Legal Fees	-2,559.93	2,257,155.03
08/13/2020	Bill Payment (Check)	Sacramento County Utilities	Utilities	-56.85	2,257,098.18
08/14/2020	Journal Entry		Salaries	-8,923.26	2,248,174.92

08/14/2020	Journal Entry		Taxes	-2,954.28	2,245,220.64
08/14/2020	Journal Entry		Pers Contributions	-1,694.20	2,243,526.44
08/14/2020	Deposit		Accounts Receivable	254,479.25	2,498,005.69
08/17/2020	Deposit		Accounts Receivable	190,538.00	2,688,543.69
08/18/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-95,381.71	2,593,161.98
08/18/2020	Check	York Risk Services Group, Inc	Claims Trust Accounts:Umqua Bank - Workers' Comp 5432	-18,500.00	2,574,661.98
08/19/2020	Bill Payment (Check)	George Hills Company	Claims Management	-13,650.00	2,561,011.98
08/19/2020	Bill Payment (Check)	Golden State Risk Management Authority	Medical	-3,872.08	2,557,139.90
08/19/2020	Bill Payment (Check)	Streamline	IT Services	-100.00	2,557,039.90
08/19/2020	Bill Payment (Check)	All Star Printing	Printing	-1,007.46	2,556,032.44
08/20/2020	Expense		Bank Service Charges	-2.79	2,556,029.65
08/21/2020	Bill Payment (Check)	York Risk Services Group, Inc	Claims Management	-18,704.83	2,537,324.82
08/21/2020	Expense	ADP Payroll Fees	Payroll Service Fee	-63.32	2,537,261.50
08/24/2020	Deposit		Accounts Receivable	116,909.63	2,654,171.13
08/26/2020	Check	CalPERS	GASB 68 Reporting	-700.00	2,653,471.13
08/27/2020	Deposit	Desert Recreation District (Coachella)	Accounts Receivable	40,696.50	2,694,167.63
08/27/2020	Bill Payment (Check)	PFM Asset Management, LLC	Investment Advisors	-2,688.86	2,691,478.77
08/27/2020	Bill Payment (Check)	California Computer Services (Corp)	Telephone	-2,444.47	2,689,034.30
08/27/2020	Bill Payment (Check)	Foothill Fire & Wire	Building Services/Repairs	-58.00	2,688,976.30
08/28/2020	Check	CalPERS	PERS Unfunded Liability	-5,289.94	2,683,686.36
08/28/2020	Bill Payment (Check)	MUFG Union Bank, N.A.	Bank Service Charges	-966.00	2,682,720.36
08/31/2020	Check	Hofmann Holdings LP	Rent	-4,298.00	2,678,422.36
08/31/2020	Journal Entry		Salaries	-8,980.60	2,669,441.76
08/31/2020	Journal Entry		Taxes	-2,158.75	2,667,283.01
08/31/2020	Deposit		Accounts Receivable	136,892.00	2,804,175.01
08/31/2020	Journal Entry		Pers Contributions	-1,703.47	2,802,471.54
09/01/2020	Expense		Bank of the West CC - Kirk	-612.22	2,801,859.32
09/01/2020	Bill Payment (Check)	Kirk Andre	District Visitation	-115.08	2,801,744.24
09/01/2020	Bill Payment (Check)	Smile Business Products	Copier Service/Repair	-223.49	2,801,520.75
09/01/2020	Deposit	Monte Rio Recreation and Park District	Accounts Receivable	13,212.75	2,814,733.50
09/02/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-22,802.96	2,791,930.54
09/03/2020	Bill Payment (Check)	Jordan Coyle	Travel/Meetings	-25.30	2,791,905.24
09/03/2020	Bill Payment (Check)	California Computer Services (Corp)	Telephone	-197.50	2,791,707.74
09/03/2020	Check	York Risk Services Group, Inc	Claims Trust Accounts:Umqua Bank - Workers' Comp 5432	-108,801.96	2,682,905.78
09/03/2020	Deposit		Accounts Receivable	12,686.00	2,695,591.78
09/08/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-43,901.80	2,651,689.98
09/08/2020	Deposit		Accounts Receivable	407,088.75	3,058,778.73
09/09/2020	Bill Payment (Check)	Gilbert Associates, Inc.	Financial Accounting	-8,351.25	3,050,427.48
09/11/2020	Bill Payment (Check)	Gibbons & Conley	Legal Fees	-2,121.75	3,048,305.73
09/11/2020	Expense		Bank of the West CC - Matt	-416.68	3,047,889.05
09/11/2020	Expense	ADP Payroll Fees	Payroll Service Fee	-63.32	3,047,825.73
09/14/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-498,554.00	2,549,271.73
09/15/2020	Journal Entry		Salaries	-9,037.94	2,540,233.79
09/15/2020	Deposit		Accounts Receivable	212,293.27	2,752,527.06
09/15/2020	Journal Entry		Pers Contributions	-1,712.74	2,750,814.32
09/15/2020	Journal Entry		Taxes	-2,162.02	2,748,652.30
09/16/2020	Check	Mission Oaks Recreation and Park District	Accounts Receivable	-1,485.92	2,747,166.38
09/16/2020	Bill Payment (Check)	York Risk Services Group, Inc	Claims Management	-18,704.83	2,728,461.55
09/17/2020	Bill Payment (Check)	Golden State Risk Management Authority	Medical	-3,206.31	2,725,255.24
09/17/2020	Bill Payment (Check)	George Hills Company	Claims Management	-10,987.50	2,714,267.74
09/17/2020	Bill Payment (Check)	Streamline	IT Services	-100.00	2,714,167.74
09/17/2020	Deposit		Accounts Receivable	51,708.14	2,765,875.88
09/18/2020	Bill Payment (Check)	Purchase Power	Postage and Delivery	-15.00	2,765,860.88
09/18/2020	Deposit	Tuolumne Park and Recreation District	Accounts Receivable	445.73	2,766,306.61
09/22/2020	Deposit		Accounts Receivable	199,624.22	2,965,930.83

09/23/2020	Check	George Hills Company	Claims Trust Accounts:California Bank & Trust	-47,909.88	2,918,020.95
09/23/2020	Bill Payment (Check)	Hofmann Holdings LP	Rent	-4,298.00	2,913,722.95
09/23/2020	Bill Payment (Check)	Gilbert Associates, Inc.	Financial Accounting	-1,725.00	2,911,997.95
09/23/2020	Deposit		Accounts Receivable	5,629.68	2,917,627.63
09/25/2020	Expense	ADP Payroll Fees	Payroll Service Fee	-63.32	2,917,564.31
09/25/2020	Deposit		Accounts Receivable	165,788.11	3,083,352.42
09/28/2020	Bill Payment (Check)	PFM Asset Management, LLC	Investment Advisors	-2,653.70	3,080,698.72
09/28/2020	Deposit		Accounts Receivable	62,858.44	3,143,557.16
09/29/2020	Deposit	Wasco Recreation and Park District	Accounts Receivable	3,359.70	3,146,916.86
09/30/2020	Journal Entry		Salaries	-9,037.94	3,137,878.92
09/30/2020	Check	CalPERS	PERS Unfunded Liability	-5,289.94	3,132,588.98
09/30/2020	Journal Entry		Taxes	-2,162.02	3,130,426.96
09/30/2020	Journal Entry		Pers Contributions	-1,712.74	3,128,714.22
09/28/2020	Bill Payment (Check)	Smile Business Products	Copier Service/Repair	-223.49	3,128,490.73
09/30/2020	Bill Payment (Check)	Purchase Power	Postage and Delivery	-190.26	3,128,300.47
09/30/2020	Bill Payment (Check)	Smile Business Products	Copier Service/Repair	-223.49	3,128,076.98
				\$ 2,807,604.84	
				\$ 2,807,604.84	

Monday, Oct 26, 2020 12:28:00 PM GMT-7 - Accrual Basis

California Association for Park and Recreation Indemnity
Statement of Net Position
As of September 30, 2020 and September 30, 2019 - DRAFT

	Sep 30, 20	Sep 30, 19
ASSETS		
Current Assets		
Checking/Savings		
Bank of West - Master Register	\$ 3,128,076.98	\$ 2,056,320.23
Bank of the West - MM	60,817.52	560,628.20
Claims Trust Accounts		
Umpqua Bank - Workers' Comp	82,499.74	137,214.16
California Bank & Trust - Liability	14,646.40	15,907.48
LAIF	110,558.16	191,166.73
Total Checking/Savings	3,396,598.80	2,961,236.80
Investment Account		
PFM Investment Account	21,808,937.44	19,674,777.02
Union Bank	465,934.11	77,697.04
Total PFM - Investment Account	22,274,871.55	19,752,474.06
Due from Employee	-	168.10
Due from CARPD	-	-
Due from Members Year-end WC	85,819.00	200,566.00
Accounts Receivable	39,105.18	17,977.49
Interest Receivable	100,576.63	119,386.06
Recovery Receivable	18,555.87	158,534.64
Prepaid Insurance	3,318,488.42	2,868,945.88
Prepaid Expenses	4,298.00	-
Total Other Current Assets	25,841,714.65	23,118,052.23
Total Current Assets	\$ 29,238,313.45	\$ 26,079,289.03
Capital Assets		
Capital Assets		
Suite B	-	13,815.33
Building Improvements	-	78,617.32
Building	-	99,955.00
Land	-	140,000.00
Computer Hardware/Software	34,901.30	34,901.30
Furniture & Equipment	57,034.47	51,092.10
Accumulated Depreciation	(85,669.42)	(266,818.51)
Total Capital Assets	6,266.35	151,562.54
Total Fixed Assets	6,266.35	151,562.54
Other Assets		
DEFERRED OUTFLOWS - PENSION	\$ 206,029.00	\$ 208,102.00
TOTAL ASSETS	\$ 29,450,608.80	\$ 26,438,953.57

California Association for Park and Recreation Indemnity
Statement of Net Position
As of September 30, 2020 and September 30, 2019 - DRAFT

	Sep 30, 20	Sep 30, 19
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Credit Cards		
Bank of the West / MC - Kirk	\$ 773.03	\$ 1,007.10
Bank of the West / MC - Matt	\$ 1,732.47	\$ 3,176.75
Total Credit Cards	2,505.50	4,183.85
Other Current Liabilities		
Due to Members Year-end WC Prem	463,307.00	217,345.00
District Overpayments	786,599.73	1,228,637.25
Claims Payable		
Liability Claim Reserves	\$ 3,152,203.00	\$ 1,184,853.00
Property Claims Reserves	556,646.00	548,765.00
W/C Claim Reserves	4,754,008.00	4,776,796.00
Total Claims Payable	8,462,857.00	6,510,414.00
Accrued Expenses	11,411.10	11,037.77
Accounts Payable	16,349.01	-
Payroll Tax liability	-	-
Total Other Current Liabilities	9,740,523.84	7,967,434.02
Total Current Liabilities	9,743,029.34	7,971,617.87
Long Term Liabilities		
Deferred Inflows - Pension	28,424.00	60,730.00
Net Pension Liability	\$ 714,764.00	\$ 676,906.00
IBNR		
IBNR Reserves - Liability	2,971,923.00	2,250,784.00
IBNR Reserves - Property	480,421.00	273,582.00
IBNR Reserves - Workers Comp	7,141,521.00	7,468,313.00
Total IBNR	10,593,865.00	9,992,679.00
ULAE		
ULAE - Liability	188,000.00	200,000.00
ULAE - Property	42,000.00	41,000.00
ULAE - Workers' Compensation	592,000.00	557,000.00
Total ULAE	822,000.00	798,000.00
Total Long Term Liabilities	12,159,053.00	11,528,315.00
Total Liabilities	21,902,082.34	19,499,932.87
NET POSITION		
Invested in Capital Assets	6,266.35	151,562.54
Unrestricted Net Assets	6,082,661.08	4,728,716.85
Net Income	1,459,599.03	2,058,741.31
Total Net Position	\$ 7,548,526.46	\$ 6,939,020.70
TOTAL LIABILITIES AND EQUITY	\$ 29,450,608.80	\$ 26,438,953.57

California Association for Park and Recreation Indemnity
Statement of Revenue and Expenses Budget to Actual
July through September 2020

	<u>Jul - Sept 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Revenue				
Member Contributions	4,880,248.44	12,374,016.00	-7,493,767.56	39.44%
Bank/LAIF Interest	2,449.53	4,500.00	-2,050.47	54.43%
Managed Portfolio	105,374.54	350,000.00	-244,625.46	30.11%
CARPD Administration	17,256.25	69,025.00	-51,768.75	25.0%
Workers' Comp Final PR Adjust	0.00	0.00	0.00	0.0%
Total Revenue	<u>5,005,328.76</u>	<u>12,797,541.00</u>	<u>-7,792,212.24</u>	<u>39.11%</u>
Total Income	<u>5,005,328.76</u>	<u>12,797,541.00</u>	<u>-7,792,212.24</u>	<u>39.11%</u>
Expense				
Operating Expenditures				
Administration-CAPRI Office				
Bank Service Charges	3,395.83	14,000.00	-10,604.17	24.26%
Building Services/Repairs	4,200.33	0.00	4,200.33	100.0%
Capital Assets	0.00	0.00	0.00	0.0%
Common Area Maintenance	232.71	0.00	232.71	100.0%
Copier Service/Repair	670.47	4,500.00	-3,829.53	14.9%
Depreciation Expense	372.67	0.00	372.67	100.0%
District Visitations	889.09	8,500.00	-7,610.91	10.46%
General Contingency	0.00	0.00	0.00	0.0%
Insurance - CAPRI	0.00	2,200.00	-2,200.00	0.0%
Miscellaneous	887.50	3,000.00	-2,112.50	29.58%
Office Supplies	705.97	10,000.00	-9,294.03	7.06%
Part-Time Services	315.80	3,000.00	-2,684.20	10.53%
Postage and Delivery	305.26	4,000.00	-3,694.74	7.63%
Printing and Reproduction	1,007.46	2,000.00	-992.54	50.37%
Professional Dues	0.00	3,000.00	-3,000.00	0.0%
Project Reserve	100.35	0.00	100.35	100.0%
Publications	60.00	200.00	-140.00	30.0%
Other	418.50	0.00	418.50	100.0%
Rent	4,298.00	0.00	4,298.00	100.0%
Salaries & Benefits				
Salaries				
Executive Director	44,137.50	176,550.00	-132,412.50	25.0%
Administrative Analyst	9,945.76	75,000.00	-65,054.24	13.26%
Administrative Assistant	8,384.00	33,280.00	-24,896.00	25.19%
Safety Analyst	18,375.00	75,000.00	-56,625.00	24.5%
Contingency	0.00	16,000.00	-16,000.00	0.0%
Total Salaries	<u>80,842.26</u>	<u>375,830.00</u>	<u>-278,987.74</u>	<u>21.51%</u>
Employee Benefits				
Medical	10,449.62	48,000.00	-37,550.38	21.77%
Life Insurance	0.00	700.00	-700.00	0.0%
PERS Contributions	5,789.09	28,500.00	-22,710.91	20.31%
Payroll Tax Expense	1,213.91	6,000.00	-4,786.09	20.23%
Total Employee Benefits	<u>17,452.62</u>	<u>83,200.00</u>	<u>-65,747.38</u>	<u>20.98%</u>
Payroll Fees	379.92	0.00	379.92	100.0%
Accrued Vacation	-2,181.64	0.00	-2,181.64	100.0%
PERS Unfunded Liability	15,869.82	63,500.00	-47,630.18	24.99%
Total Salaries & Benefits	<u>112,362.98</u>	<u>522,530.00</u>	<u>-394,167.02</u>	<u>21.5%</u>
Safety Meetings/Workshops	0.00	4,000.00	-4,000.00	0.0%
Telephone	629.35	6,000.00	-5,370.65	10.49%
Travel/Meeting	1,102.63	11,000.00	-9,897.37	10.02%
Utilities	629.84	3,500.00	-2,870.16	18.0%
Total Administration-CAPRI Office	<u>132,584.74</u>	<u>601,430.00</u>	<u>-468,845.26</u>	<u>22.05%</u>

California Association for Park and Recreation Indemnity
Statement of Revenue and Expenses Budget to Actual
 July through September 2020

	<u>Jul - Sept 20</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Board Meeting/Travel		24,750.00	-24,750.00	0.0%
CARPD Expense		0.00	0.00	0.0%
Consulting Services				
Actuarial Services	0.00	10,000.00	-10,000.00	0.0%
Claims Management	92,531.49	369,458.00	-276,926.51	25.05%
Financial Accounting	16,111.48	40,000.00	-23,888.52	40.28%
Financial Audit	0.00	23,000.00	-17,657.44	23.23%
Investment Advisors	5,342.56	32,000.00	-27,909.29	12.78%
IT Services	4,090.71	3,000.00	1,681.68	156.06%
Legal Fees	4,681.68	30,000.00	-30,000.00	15.61%
Loss Prevention Services	0.00	0.00	0.00	0.0%
Total Consulting Services	122,757.92	507,458.00	-384,700.08	24.19%
Total Operating Expenditures	255,342.66	1,133,638.00	-878,295.34	22.52%
Insurance Expenditures				
Crime Policy	5,722.47	25,000.00	-19,277.53	22.89%
Workers' Compensation	177,067.50	708,270.00	-531,202.50	25.0%
Other Premiums (W/C)	0.00	60,000.00	-60,000.00	0.0%
Combined GL/AL Excess	254,996.25	1,020,000.00	-765,003.75	25.0%
Property Coverage	642,126.59	2,594,880.00	-1,952,753.41	24.75%
Broker Fees	26,250.00	110,000.00	-83,750.00	23.86%
Total Insurance Expenditures	1,106,162.81	4,518,150.00	-3,411,987.19	24.48%
Claims Expenditures				
Workers' Compensation Claims	348,303.82	3,825,565.00	-3,477,261.18	9.11%
Property Claims	835,685.98	641,796.00	193,889.98	130.21%
Liability Claim Payments	341,200.14	2,204,868.00	-1,863,667.86	15.48%
Recovery from Prior Years	0.00	0.00	0.00	0.0%
Subrogation Recovery	-112,212.93	0.00	-112,212.93	100.0%
Change in IBNR	987,517.00	0.00	987,517.00	100.0%
Change in ULAE	0.00	0.00	0.00	0.0%
Change in Reserves	-30,832.00	0.00	-30,832.00	100.0%
Total Claims Expenditures	2,369,662.01	6,672,229.00	-4,302,566.99	35.52%
Dividends		0.00	0.00	0.0%
Contingency				
General	26,942.97	50,000.00	-23,057.03	53.89%
Building Repair	0.00	0.00	0.00	0.0%
Total Contingency	26,942.97	50,000.00	-23,057.03	53.89%
Total Expense	3,758,110.45	12,374,017.00	-8,615,906.55	30.37%
Net Ordinary Income	1,247,218.31	423,524.00	823,694.31	294.49%
Other Income/Expense				
Other Income				
Investment Gain/Loss	-47,192.10	0.00	-47,192.10	100.0%
Gain/Loss on Sale of Asset	259,572.82	0.00	259,572.82	100.0%
Other Income	0.00	0.00	0.00	0.0%
Total Other Income	212,380.72	0.00	212,380.72	100.0%
Net Other Income	212,380.72	0.00	212,380.72	100.0%
Net Income	1,459,599.03	423,524.00	1,036,075.03	344.63%

California Association for Park and Recreation Indemnity
Statement of Revenue, Expenses, and Change in Net Position
For the Quarter and Year to Date September 30, 2020 and September 30, 2019 - DRAFT

	<u>Jul '20 - Sept '20</u>	<u>Jul '20 - Sept '20</u>	<u>Jul '19 - Sept '19</u>
Ordinary Revenue			
Revenue			
Member Contributions	\$ 4,880,248.44	\$ 4,880,248.44	\$ 4,115,623.59
Workers' Comp Final PR Adjustment	-	-	-
Bank/LAIF Interest	2,449.53	2,449.53	1,276.71
Managed Portfolio	105,374.54	105,374.54	166,409.93
Revenue - Other	-	-	-
CARPD - Quarterly Services	17,256.25	17,256.25	17,001.25
Total Operating Revenue	<u>5,005,328.76</u>	<u>5,005,328.76</u>	<u>4,300,311.48</u>
Operating Expenses			
General and Administrative Expenses			
CARPD Expenses	-	-	222.57
Administration-CAPRI Office			
Bank Service Charges	3,395.83	3,395.83	2,278.59
Building Services/Repairs	4,200.33	4,200.33	3,490.01
Common Area Maintenance	232.71	232.71	1,496.01
Copier Service / Repair	670.47	670.47	990.05
Depreciation Expense	372.67	372.67	1,793.33
District Visitations	889.09	889.09	1,821.35
General Contingency	-	-	-
Miscellaneous	887.50	887.50	753.94
Office Expense	705.97	705.97	3,954.41
Other	418.50	418.50	124.50
Part-Time Services	315.80	315.80	-
Postage and Delivery	305.26	305.26	1,005.39
Printing and Reproduction	1,007.46	1,007.46	673.44
Professional Dues	-	-	1,774.00
Project Reserve	100.35	100.35	645.12
Publications	60.00	60.00	36.00
Rent Expense	4,298.00	4,298.00	-
Safety Meetings/Workshops	-	-	317.77
Salaries & Benefits	112,362.98	112,362.98	118,841.02
Telephone	629.35	629.35	1,576.60
Travel/Meeting	1,102.63	1,102.63	5,615.49
Utilities	629.84	629.84	1,569.76
Total Administration-CAPRI Office	<u>132,584.74</u>	<u>132,584.74</u>	<u>148,756.78</u>
Board Meeting/Travel	-	-	4,505.05
Consulting Services			
Actuarial Services	-	-	-
Claims Management	56,114.49	56,114.49	54,480.00
Claims Management - Admin	270.00	270.00	912.80
Claims Management - Liability	22,816.50	22,816.50	21,071.43
Claims Management - Property	13,330.50	13,330.50	4,008.10
Financial Accounting	16,111.48	16,111.48	7,078.82
Financial Audit	5,342.56	5,342.56	4,952.96
Investment Advisors	-	-	-
IT Services	4,090.71	4,090.71	1,481.01
Legal Fees	4,681.68	4,681.68	4,961.00
Loss Prevention Services	-	-	-
Total Consulting Services	<u>122,757.92</u>	<u>122,757.92</u>	<u>98,946.12</u>

California Association for Park and Recreation Indemnity
Statement of Revenue, Expenses, and Change in Net Position
For the Quarter and Year to Date September 30, 2020 and September 30, 2019 - DRAFT

	<u>Jul '20 - Sept '20</u>	<u>Jul '20 - Sept '20</u>	<u>Jul '19 - Sept '19</u>
Total General and Administrative Expenses	<u>255,342.66</u>	<u>255,342.66</u>	<u>252,430.52</u>

California Association for Park and Recreation Indemnity
Statement of Revenue, Expenses, and Change in Net Position
For the Quarter and Year to Date September 30, 2020 and September 30, 2019 - DRAFT

	<u>Jul '20 - Sept '20</u>	<u>Jul '20 - Sept '20</u>	<u>Jul '19 - Sept '19</u>
Insurance Expenses			
Crime Policy	5,722.47	5,722.47	5,944.21
Workers' Compensation	177,067.50	177,067.50	240,367.75
Combined GL/AL Excess	254,996.25	254,996.25	208,822.50
Other Premiums -WC	-	-	-
Property Coverage	642,126.59	642,126.59	474,930.83
Broker Fees	26,250.00	26,250.00	26,250.00
Total Insurance Expenses	<u>1,106,162.81</u>	<u>1,106,162.81</u>	<u>956,315.29</u>
Claims Expenses			
Workers' Compensation Claims	348,303.82	348,303.82	756,177.34
Liability Claim Payments	341,200.14	341,200.14	1,889,036.94
Property Claims	835,685.98	835,685.98	5,000.00
Subrogation Recovery	(112,212.93)	(112,212.93)	(825.00)
Change in Reserves	(30,832.00)	(30,832.00)	(2,692,727.00)
Changes in IBNR	987,517.00	987,517.00	1,139,654.00
Change in ULAE	-	-	-
Total Claims Expenses	<u>2,369,662.01</u>	<u>2,369,662.01</u>	<u>1,096,316.28</u>
Dividends	-	-	-
Contingency - Building Repairs			
General	26,942.97	26,942.97	-
Building Repairs	-	-	-
Total Contingency	<u>26,942.97</u>	<u>26,942.97</u>	<u>-</u>
Total Expenses	<u>3,758,110.45</u>	<u>3,758,110.45</u>	<u>2,305,062.09</u>
Net Operating Revenue	1,247,218.31	1,247,218.31	1,995,249.39
Other Revenue (Expense)			
Gain/Loss on Sale of Asset	259,572.82	259,572.82	-
Investment Gain/Loss	(47,192.10)	(47,192.10)	63,491.92
Net Revenue Over (Under) Expenses	<u>\$ 1,459,599.03</u>	<u>\$ 1,459,599.03</u>	<u>\$ 2,058,741.31</u>
Beginning Net Position		6,088,927.43	4,880,279.39
Ending Net Position		<u>\$ 7,548,526.46</u>	<u>\$ 6,939,020.70</u>

Agenda Item 8.1

DISCUSSION/ACTION ITEMS

SUBJECT: WC Program Review & Update

BACKGROUND AND STATUS:

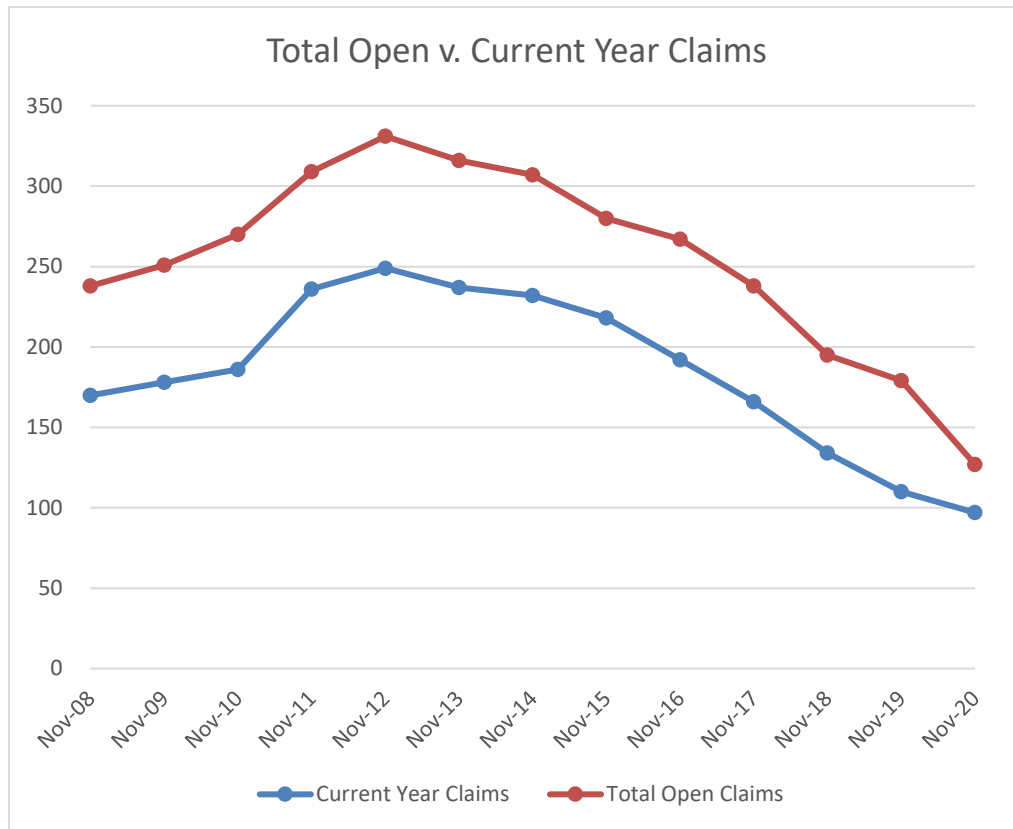
Dori Zumwalt of Sedgwick will present to the Board and review the performance of the CAPRI Workers’ Compensation program. This will include an evaluation of current trends and a review of recent claims history.

A few numbers of note for historical context on current case frequency:

<u>Year</u>	<u>Total Open Claims</u>	<u>Claims This Period (July 1-October 31)</u>
November 2008	170	68
November 2009	178	73
November 2010	186	84
November 2011	236	73
November 2012	249	82
November 2013	237	79
November 2014	232	75
November 2015	218	62
November 2016	192	75
November 2017	166	72
November 2018	134	61
November 2019	110	69
November 2020	97	30

Both the current open claim count and the number of total claims for this fiscal year are down significantly as compared to Novembers of years past. Notably, these figures do not take into account the increases in pool size and payroll over the past twelve years – which makes this drop in frequency even more striking.

These figures are illustrated further on the graph below.



While certainly not the only statistic we look to in evaluating the program, the drop in frequency of claims this fiscal year is worth noting when trying to quantify the impact of COVID-19 on the program.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- Summary of WC Claims by Fiscal Year – November 3, 2020

CAPRI Workers Comp.
Fiscal Year Claim Summary
 10/01/2020 - 10/31/2020

WC Fiscal YearCS as of Month End

<u>Fiscal Year</u>	<u>Open</u>	<u>Closed</u>	<u>Total Claims</u>	<u>Paid This Period</u>	<u>Incurred This Period</u>	<u>Outstanding This Period</u>	<u>Paid</u>	<u>Outstanding</u>	<u>Incurred</u>	<u>Recovery</u>	<u>Net Incurred</u>
1978-1979	0	15	15	0.00	0.00	0.00	82,816.56	0.00	82,816.56	0.00	82,816.56
1979-1980	0	25	25	0.00	0.00	0.00	314,058.47	0.00	314,058.47	0.00	314,058.47
1980-1981	0	60	60	0.00	0.00	0.00	104,819.24	0.00	104,819.24	0.00	104,819.24
1981-1982	0	117	117	0.00	0.00	0.00	2,747,431.23	0.00	2,747,431.23	(2,567,078.25)	180,352.98
1982-1983	0	147	147	0.00	0.00	0.00	287,261.42	0.00	287,261.42	(9,500.00)	277,761.42
1983-1984	0	200	200	0.00	0.00	0.00	276,371.73	0.00	276,371.73	0.00	276,371.73
1984-1985	0	147	147	0.00	0.00	0.00	242,203.78	0.00	242,203.78	(2,276.88)	239,926.90
1985-1986	0	203	203	0.00	0.00	0.00	460,947.50	0.00	460,947.50	0.00	460,947.50
1986-1987	0	265	265	0.00	0.00	0.00	817,210.40	0.00	817,210.40	(170,667.80)	646,542.60
1987-1988	0	264	264	0.00	0.00	0.00	993,711.22	0.00	993,711.22	(1,923.75)	991,787.47
1988-1989	0	234	234	0.00	0.00	0.00	774,222.20	0.00	774,222.20	0.00	774,222.20
1989-1990	1	311	312	135.68	0.00	(\$135.68)	984,399.41	85,972.48	1,070,371.89	(1,558.05)	1,068,813.84
1990-1991	0	269	269	0.00	0.00	0.00	940,241.49	0.00	940,241.49	(3,446.00)	936,795.49
1991-1992	0	349	349	0.00	(\$32,895.29)	(\$32,895.29)	1,637,387.92	0.00	1,637,387.92	(332,326.03)	1,305,061.89
1992-1993	1	276	277	41,052.50	0.00	(\$41,052.50)	1,569,599.24	74,699.91	1,644,299.15	(15,000.00)	1,629,299.15
1993-1994	0	293	293	0.00	0.00	0.00	1,011,297.68	0.00	1,011,297.68	(5,499.00)	1,005,798.68
1994-1995	0	301	301	0.00	0.00	0.00	1,112,631.38	0.00	1,112,631.38	(30,075.94)	1,082,555.44
2005-2006	1	220	221	34.71	0.00	(\$34.71)	7,251,086.53	6,329,118.53	13,580,205.06	(4,582,286.38)	8,997,918.68
2006-2007	0	192	192	0.00	0.00	0.00	1,453,761.50	0.00	1,453,761.50	(38,500.00)	1,415,261.50
2007-2008	1	225	226	0.00	0.00	0.00	2,816,358.64	19,557.00	2,835,915.64	(682.00)	2,835,233.64
2008-2009	2	224	226	332.50	0.00	(\$332.50)	2,378,943.79	76,471.91	2,455,415.70	(106,809.97)	2,348,605.73
2009-2010	3	222	225	1,432.28	500.00	(\$932.28)	2,544,045.74	417,629.37	2,961,675.11	(15,000.00)	2,946,675.11
2010-2011	2	249	251	1,191.16	0.00	(\$1,191.16)	2,376,625.86	218,584.55	2,595,210.41	(2,255.18)	2,592,955.23
2011-2012	4	224	228	9,082.42	(\$14,122.38)	(\$23,204.80)	4,167,322.82	563,927.06	4,731,249.88	(1,088,619.24)	3,642,630.64
2012-2013	4	220	224	245.00	0.00	(\$245.00)	3,009,543.36	297,998.52	3,307,541.88	(51,585.57)	3,255,956.31
2013-2014	2	211	213	796.21	36.07	(\$760.14)	2,263,162.99	178,750.11	2,441,913.10	(4,525.67)	2,437,387.43
2014-2015	5	193	198	2,741.27	0.00	(\$2,741.27)	1,887,032.71	458,743.08	2,345,775.79	0.00	2,345,775.79
2015-2016	6	196	202	28,741.50	(\$49,063.99)	(\$77,805.49)	3,687,044.90	452,098.12	4,139,143.02	(607,486.08)	3,531,656.94
2016-2017	6	203	209	1,865.09	24,810.62	22,945.53	1,926,487.82	292,766.52	2,219,254.34	(9,194.91)	2,210,059.43
2017-2018	6	192	198	2,221.72	32,456.65	30,234.93	1,413,001.12	298,629.83	1,711,630.95	(33,086.91)	1,678,544.04
2018-2019	16	165	181	93,908.39	(\$61,264.59)	(\$155,172.98)	1,390,620.97	941,859.51	2,332,480.48	(4,148.87)	2,328,331.61
2019-2020	20	123	143	37,692.47	5,900.44	(\$31,792.03)	622,650.59	1,199,605.18	1,822,255.77	(1,585.22)	1,820,670.55
2020-2021	17	13	30	11,652.47	37,602.70	25,950.23	51,020.16	129,624.21	180,644.37	0.00	180,644.37
Grand Total:	97	6,548	6,645	233,125.37	(\$56,039.77)	(\$289,165.14)	53,595,320.37	12,036,035.89	65,631,356.26	(9,685,117.70)	55,946,238.56

Agenda Item 8.2

DISCUSSION/ACTION ITEMS

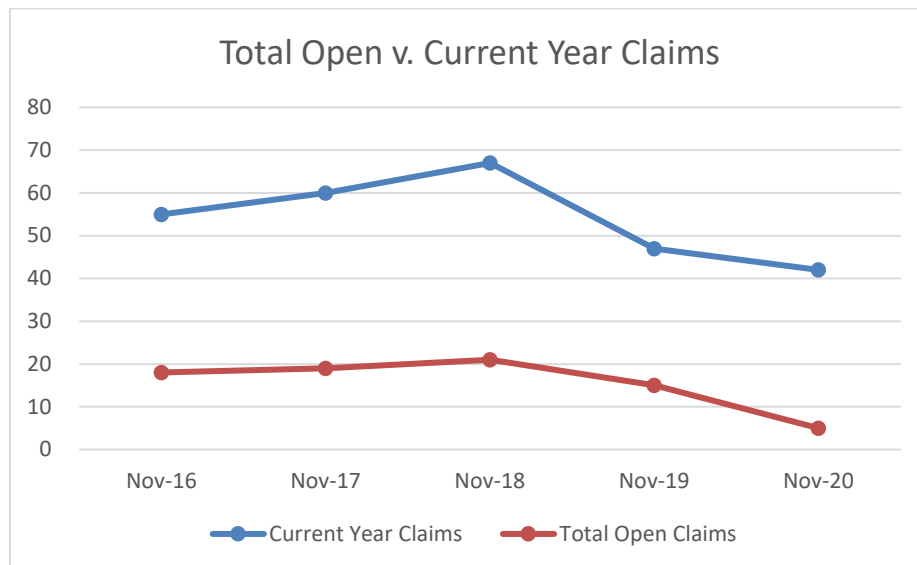
SUBJECT: General Liability Program Review & Update

BACKGROUND AND STATUS:

Attached hereto is a summary of the General Liability claims as organized by Fiscal year as of October 31, 2020.

As is the case with the WC program, claim frequency is down. At the time of this writing, there are only forty (40) claims received for FY19-20. Compared to the recent yearly average of seventy-five (75), that would represent nearly a 45% drop. Moreover, since July 1, 2020, the pool has received only *five* (5) liability claims. Compared to the recent November average of eighteen (18), that would represent nearly a 75% drop in claims.

<u>Year</u>	<u>Total Open Claims</u>	<u>Claims This Period (July 1-October 31)</u>
November 2016	55	18
November 2017	60	19
November 2018	67	21
November 2019	47	15
November 2020	42	5



While COVID-19 certainly played a factor in these results, it is worth noting that FY19-20 was already shaping up to be a lower frequency year. As of December 31, 2019, the pool had only received a total of seventeen (17) claims for the first half of the fiscal year or almost 40% less than recent average of twenty-eight (28).

Furthermore, the open GL case load, currently sitting at forty-two (42), will soon drop into the mid-thirties pending several file closures. This also represents a significant drop from prior years. For reference, in October 2018 there were sixty-four (64) open GL files.

With the casualty market in flux and defense costs on the rise, it will be beneficial to continue to strive for a low frequency of claims and a low number of total open cases.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- Summary of GL Claims by Fiscal Year – October 31, 2020



Policy Year Summary

Period Start Date: 10/1/2020

Period End Date: 10/31/2020

Valuation Date: 10/31/2020

Policy Year	Open Claims	Closed Claims	Total Claims	Paid This Period	Reserves This Period	Total Paid	Total Outstanding	Total Incurred	Total Recovery	Net Incurred
1986/1987	0	39	39	0.00	0.00	158,934.99	0.00	158,934.99	0.00	158,934.99
1987/1988	0	91	91	0.00	0.00	567,783.35	0.00	567,783.35	0.00	567,783.35
1988/1989	0	77	77	0.00	0.00	336,758.78	0.00	336,758.78	0.00	336,758.78
1989/1990	0	56	56	0.00	0.00	252,372.90	0.00	252,372.90	0.00	252,372.90
1990/1991	0	69	69	0.00	0.00	646,700.81	0.00	646,700.81	0.00	646,700.81
1991/1992	0	78	78	0.00	0.00	574,432.62	0.00	574,432.62	0.00	574,432.62
1992/1993	0	66	66	0.00	0.00	334,437.15	0.00	334,437.15	0.00	334,437.15
1993	0	3	3	0.00	0.00	9,209.48	0.00	9,209.48	0.00	9,209.48
1993/1994	0	79	79	0.00	0.00	778,130.85	0.00	778,130.85	0.00	778,130.85
1994/1995	0	71	71	0.00	0.00	607,227.03	0.00	607,227.03	0.00	607,227.03
1995/1996	0	66	66	0.00	0.00	488,285.28	0.00	488,285.28	0.00	488,285.28
1996/1997	0	98	98	0.00	0.00	308,466.79	0.00	308,466.79	0.00	308,466.79
1997/1998	0	54	54	0.00	0.00	756,263.30	0.00	756,263.30	0.00	756,263.30
1998/1999	0	39	39	0.00	0.00	581,684.09	0.00	581,684.09	0.00	581,684.09
1999/2000	0	30	30	0.00	0.00	175,051.87	0.00	175,051.87	0.00	175,051.87
2000/2001	0	56	56	0.00	0.00	332,932.06	0.00	332,932.06	0.00	332,932.06
2001/2002	0	37	37	0.00	0.00	355,079.79	0.00	355,079.79	0.00	355,079.79
2002/2003	0	44	44	0.00	0.00	515,584.00	0.00	515,584.00	0.00	515,584.00
2003/2004	0	31	31	0.00	0.00	242,133.94	0.00	242,133.94	0.00	242,133.94
2004/2005	0	45	45	0.00	0.00	423,151.66	0.00	423,151.66	0.00	423,151.66
2005/2006	0	33	33	0.00	0.00	378,848.40	0.00	378,848.40	0.00	378,848.40
2006/2007	0	27	27	0.00	0.00	640,394.43	0.00	640,394.43	0.00	640,394.43
2007/2008	0	50	50	0.00	0.00	1,239,917.12	0.00	1,239,917.12	0.00	1,239,917.12
2008/2009	0	89	89	0.00	0.00	2,657,636.27	0.00	2,657,636.27	938,919.27	1,718,717.00



Policy Year Summary

Period Start Date: 10/1/2020

Period End Date: 10/31/2020

Valuation Date: 10/31/2020

Policy Year	Open Claims	Closed Claims	Total Claims	Paid This Period	Reserves This Period	Total Paid	Total Outstanding	Total Incurred	Total Recovery	Net Incurred
2009/2010	0	82	82	0.00	0.00	823,290.68	0.00	823,290.68	0.00	823,290.68
2010/2011	0	68	68	0.00	0.00	1,425,971.57	0.00	1,425,971.57	0.00	1,425,971.57
2011/2012	0	71	71	0.00	0.00	758,964.49	0.00	758,964.49	0.00	758,964.49
2012/2013	0	55	55	0.00	0.00	527,624.98	0.00	527,624.98	0.00	527,624.98
2013/2014	0	75	75	0.00	0.00	1,683,366.31	0.00	1,683,366.31	0.00	1,683,366.31
2014/2015	1	61	62	7,248.80	0.00	2,524,197.68	506,243.51	3,030,441.19	271,354.75	2,759,086.44
2015/2016	2	68	70	7,917.00	0.00	1,324,568.25	125,966.99	1,450,535.24	0.00	1,450,535.24
2016/2017	3	74	77	424.50	0.00	1,672,570.87	9,832.35	1,682,403.22	0.00	1,682,403.22
2017/2018	6	69	75	6,363.50	0.00	1,240,044.84	268,609.78	1,508,654.62	0.00	1,508,654.62
2018/2019	10	62	72	54,961.05	-32,143.00	529,027.87	1,850,391.38	2,379,419.25	0.00	2,379,419.25
2019/2020	16	24	40	15,391.10	-6,139.78	197,158.20	248,045.09	445,203.29	0.00	445,203.29
2020/2021	4	1	5	2,291.00	4,976.27	6,518.16	15,210.27	21,728.43	0.00	21,728.43
Grand Total	42	2,038	2,080	94,596.95	-33,306.51	26,074,720.86	3,024,299.37	29,099,020.23	1,210,274.02	27,888,746.21

Report Parameters:

Insurance Line: General Liability

Evaluation Date: 10/31/2020

Period Start: 10/1/2020

Period End: 10/31/2020

Insurer(s): California Association for Park and Recreation Ind

Insured(s): Almanor Recreation and Park District, Ambrose Recreation and Park District, Apple Valley Recreation and Park District, Arcade Creek Recreation and Park District, Arden Manor Recreation and Park District, Arden Park Recreation and Park District, Auburn Area Recreation and Park District, Bear Mountain Recreation and Park District, Bear River Recreation and Park District, Beaumont-Cherry Valley Recreation and Park District, Belvedere - Tiburon Recreational Park District, Boulder Creek Recreation and Park District, Buttonwillow Recreation and Park District, Calwa Recreation and Park District, Capistrano Bay Recreation and Park District, CAPRI-SUBRO, Carmichael Recreation and Park District, Central Plumas Recreation and Park District, Chico Area Recreation and Park District, Coalinga-Huron Recreation and Park District, Conejo Recreation and Park District, Cordova Recreation and Park District, Desert Recreation and Park District (aka - Coachella Valley RPD), Dunsmuir Recreation and Park District, Durham Recreation and Park District, Fair Oaks Recreation and Park District, Feather River Recreation and Park District, Fulton-El Camino Recreation and Park District, Georgetown Divide Recreation District, Greater Vallejo Recreation and Park District, Hayward Area Recreation and Park District, Hesperia Recreation and Park District, Highlands Recreation District, Isla Vista Recreation and Park District, Jurupa Area Recreation and Park District, La Selva Beach Recreation and Park District, Ladera Recreation District, Lake Cuyamaca Recreation and Park District, Livermore Area Recreation and Park District (LARPD), McFarland Recreation and Park District, Mendocino Coast Recreation and Park District, Mission Oaks Recreation and Park District, Monte Rio Recreation and Park District, Mt. Shasta Recreation and Park District, North County Recreation and Park District, North Highlands Recreation and Park District, North of the River Recreation and Park District (aka - North Bakersfield RPD), Orangevale Recreation and Park District, Ortega Trail Recreation and Park District, Paradise Recreation and Park District, Pleasant Hill Recreation and Park District, Pleasant Valley Recreation and Park District, Rancho Simi Recreation and Park District, Rim of the World Recreation and Park District, Rio Linda-Elverta Recreation and Park District, Russian River Recreation and Park District, Shafter Recreation and Park District, Silverado-Modjeska Park and Recreation District, Soledad Mission Recreation District, Southgate Recreation and Park District, Strawberry Recreation District, Sunrise Recreation and Park District, Tehachapi Recreation and Park District, Truckee-Donner Recreation and Park District, Tuolumne Recreation and Park District, Twain Harte Recreation and Park District, Valley-Wide Recreation and Park District, Wasco Recreation and Park District, Weed Recreation and Park District, WestSide Recreation and Park District

Agenda Item 8.3

DISCUSSION/ACTION ITEMS

SUBJECT: Property Program Review & Update

BACKGROUND AND STATUS:

Attached hereto is a summary of the Property claims as organized by Fiscal Year as of October 31, 2020.

McLaren's, the adjuster for our excess property insurance provider, continues to adjust several excess claims related to the wildfires of November 2018 and floods of February 2019. Notably, over \$4M in excess funds have been distributed to date.

Additionally, a claim has been opened with AIP for business interruption losses sustained by the pool as a result of COVID-19. Staff will be prepared for discussion on this item in particular at the Board Meeting.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- Summary of Property Claims by Fiscal Year – October 31, 2020
- Property Loss Notice dated August 20, 2020

CAPRI
Property Claims Summary Report
As of October 2020

Date of Loss	Reserves	Excess paid	CAPRI Paid	Recovery	Net Incurred
1986/1987	\$0.00	\$0.00	\$84,315.30	\$0.00	\$88,315.30
1987/1988	\$0.00	\$0.00	\$91,538.76	\$0.00	\$97,538.76
1988/1989	\$0.00	\$25,570.00	\$107,210.17	\$0.00	\$140,780.17
1989/1990	\$0.00	\$0.00	\$114,679.34	\$0.00	\$128,679.34
1990/1991	\$0.00	\$32,529.91	\$183,866.26	\$0.00	\$236,396.17
1991/1992	\$0.00	\$0.00	\$107,977.77	\$0.00	\$129,977.77
1992/1993	\$0.00	\$0.00	\$36,873.08	\$0.00	\$48,873.08
1993/1994	\$0.00	\$0.00	\$80,502.95	\$0.00	\$98,502.95
1994/1995	\$0.00	\$0.00	\$33,880.42	\$0.00	\$49,880.42
1995/1996	\$0.00	\$0.00	\$103,876.77	\$0.00	\$125,876.77
1996/1997	\$0.00	\$113,742.79	\$225,515.90	\$0.00	\$359,258.69
1997/1998	\$0.00	\$0.00	\$133,345.85	\$0.00	\$155,345.85
1998/1999	\$0.00	\$0.00	\$50,409.26	\$0.00	\$62,409.26
1999/2000	\$0.00	\$0.00	\$34,922.02	\$0.00	\$44,922.02
2000/2001	\$0.00	\$0.00	\$156,431.29	\$0.00	\$172,431.29
2001/2002	\$0.00	\$0.00	\$100,644.71	\$0.00	\$126,644.71
2002/2003	\$0.00	\$9,759.04	\$210,841.44	\$0.00	\$256,600.48
2003/2004	\$0.00	\$0.00	\$251,764.22	\$0.00	\$271,764.22
2004/2005	\$0.00	\$150,000.00	\$377,615.44	\$0.00	\$553,615.44
2005/2006	0.00	63,642.56	544,153.94	0.00	653,796.50
2006/2007	\$0.00	\$0.00	\$366,307.81	\$0.00	\$428,307.81
2007/2008	\$0.00	\$2,634,559.87	\$982,884.07	\$0.00	\$3,687,443.94
2008/2009	\$0.00	\$0.00	\$241,335.07	\$0.00	\$287,335.07
2009/2010	\$0.00	\$257,309.00	\$255,461.03	-\$24,170.58	\$523,599.45
2010/2011	\$0.00	\$0.00	\$387,943.39	-\$17,889.73	\$414,053.66
2011/2012	\$0.00	\$0.00	\$638,193.32	-\$143,077.89	\$561,115.43
2012/2013	\$0.00	\$0.00	\$626,374.52	\$0.00	\$684,374.52
2013/2014	\$0.00	\$0.00	\$368,297.77	\$0.00	\$422,297.77
2014/2015	\$0.00	\$1,870,479.00	\$1,225,463.24	-\$604,244.60	\$2,687,555.95
2015/2016	\$0.00	\$0.00	\$312,293.83	\$0.00	\$384,293.83
2016/2017	\$163,491.41	\$0.00	\$1,247,104.84	-\$98,259.82	\$1,373,289.45
2017/2018	\$148,000.00	\$0.00	\$404,991.36	-\$65,568.91	\$511,346.41
2018/2019	\$6,145,674.83	\$4,072,513.87	\$1,234,968.33	\$0.00	\$11,507,862.57
2019/2020	\$15,607.46	\$0.00	\$780,119.53	\$0.00	\$817,397.99
2020/2021	\$183,232.49	\$0.00	\$154,224.05	\$0.00	\$346,438.54
	\$6,656,006.19	\$9,230,106.04	\$12,256,327.05	-\$953,211.53	\$28,438,321.58

PROPERTY FIRST NOTICE OF LOSS FORM

SEND TO: Alliant Insurance Services, Inc.
BY MAIL: 100 Pine Street, 11th Floor, San Francisco, CA 94111
BY FAX: (415) 403-1466
BY EMAIL: rfrey@alliant.com AND dwalizada@alliant.com
Carbon Copy APIP Claims Administrator: sandra.doig@mcclarens.com and your Alliant representative

Today's Date: 8/20/2020

Type of Claim: (check all that apply)

- Real Property
- Vehicles
- Personal Property
- Other

Insured's Name & Contact Information

Insured's Name: CAPRI Point of Contact: Matthew Duarte
 Address: 1075 Creekside Ridge, Suite 240, Roseville, CA 95678
 Phone #: 916-722-5550 Email Address: mduarte@capri-jpa.org

Broker/Agent's Name & Contact Information

Company Name: Alliant Insurance Services - Claims Point of Contact: Robert A. Frey & Diana L. Walizada
 Address: 100 Pine Street, 11th Floor, San Francisco, CA 94111
 Phone #: 1-877-725-7695 Fax #: 415-403-1466

Policy Information

Reference Number: _____ Policy Period: 18/19 & 19/20
 Limits of Liability: _____ per _____ agg Self-Insured Retention/Deductible: _____

Loss Information

Date of Incident/Claim: Ongoing Location: N/A

Description of Loss:

CAPRI Members have incurred Business Interruption losses exceeding \$500,000.00.

Please list all attached or enclosed documentation: (check if none provided) _____

Name of Person Completing This Form: Matthew Duarte

Signature: Matthew Duarte

Agenda Item 8.4**DISCUSSION/ACTION ITEMS****SUBJECT: Insurance Market Update**

BACKGROUND AND STATUS:

Mr. Doug Wozniak of Alliant Insurance Services will present at the Board Meeting and provide an in-depth update on the current insurance market and outlook for 2021.

Additionally, attached hereto is the PRISM Premium Budget Estimates for the 21-22 renewal.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- PRISM Premium Budget Estimates – October 2020



PRISM

Public Risk Innovation,
Solutions, and Management

Premium Budget Estimates – October 2020 *Broker Talking Points*

Why we Provide Early Premium Estimates?

These estimates are to assist Members with preliminary budgeting. This is not a renewal indication or renewal quote. Estimates are not final, nor do they represent a not-to-exceed premium.

It is important that the Member understands that these estimates are being provided to assist them with budgeting. Although we encourage our Members to budget toward the high end of the range, in many programs, the final renewal premium will be lower.

We believe these estimates are conservative based on our actuary's projected pooled rate increases and Alliant's estimated reinsurance rates. The PRISM Board has requested that the estimates be conservative because, in many cases, the Members have difficulty adjusting their budget upwards. We start with a conservative number and refine it as we go through the renewal process.

For this version, the estimates do not take into account the member's updated estimated payroll for 20/21 nor their updated loss experience. If the member feels they may have experienced significant increases to either of these areas it is important for them to budget more than the high end of the range. If assistance in determining how much more to budget is needed or if you have any questions on the Premium Estimates, please feel free to contact the Underwriting Department.

What do the Ranges Represent?

If the estimates are provided are in the form of a range:

- The high estimates are more conservative and should be the basis for budget forecasting
- The low estimates are less conservative and budgeting at this level is less likely to be adequate

Staff highly recommends budgeting at the high end of the range, particularly for the liability programs which are experiencing a hard market. Various assumptions have been factored into each program's estimate; an explanation is provided under each estimate.

What Factors have been Updated for these Estimates?



PRISM

Public Risk Innovation,
Solutions, and Management

- We are estimating the Member's 2020-2021 payroll at a 5% increase
- We are estimating rates (both pool and reinsurance)
- We are using estimates for projected General Administrative Cost increases

Important Program Specific Information:

General Liability 1 Program (GL1)

Public entities and the insurance industry have witnessed dramatic increases in liability loss development in recent years. In 2018/19, the GL1 program experienced significant loss development and a deterioration of surplus. PRISM successfully implemented a loss portfolio transfer (LPT) in 2019/20, which reduced outstanding losses and stabilized the program's funding position. The LPT deal provides reinsurance through 2024, during which the Underwriting Committee has determined to gradually increase the program's confidence level to continue building surplus. These estimates account for a confidence level increase in addition to increases for rising claim costs.

Property Program

The property program continues to face a hard market. These estimates are intended to be conservative and reflect the reality that premiums are expected to continue to increase.

For additional information, please see the below additional talking points, which are intended to assist when discussing the state of PRISM programs, program funding, and potential upcoming premium changes with your clients.



PRISM

Public Risk Innovation,
Solutions, and Management

Talking Points on the State of PRISM Programs

For staff and brokers

GL1

- The industry is going through difficult times. Jury verdicts are much higher than they have been in years past and that is affecting the industry's surplus.
- As it affects the industry, it has also affected the PRISM.
- We have always been proactive in our management and funding approach, and this remains the same today.
- The GL1 program has implemented a plan to continue to increase the program's funding position gradually over several years. We are able to make gradual increases because the Loss Portfolio Transfer has provided 5 years of reinsurance on the pool layer.
- The size of our program offers a great spread of risk to our members and provides much greater stability than smaller programs or individual risks.
- Membership remains stable and program participation has actually increased.

GL2

- The industry is going through difficult times. Jury verdicts are much higher than they have been in years past and that is affecting the industry's surplus.
- As it affects the industry, it also has affected PRISM.
- We have always been proactive in our management and funding approach, and this remains the same today.
- The Committee and staff are also focusing on loss drivers from a legislative, risk control, and claims handling perspective.
- The size of our program offers great purchasing power to our members and provides much greater stability than smaller programs or individual risks.



California Association for Park and Recreation Insurance (CAPRI)

These early estimates have been prepared to aid you in budgeting for the 2021/22 fiscal year. It is important to keep in mind it is early on in the process of determining each Program's total cost. At this time, your entity's exposure and experience have not been updated in any of the allocation models. The estimates provided are intended to be conservative; however, final premiums may be in excess of these estimates. Since we currently do not have renewal rates for any of the programs, we recommend you budget towards the upper end of the range plus any differences in exposure or experience which have not yet been considered.

Once we have received and updated your losses and exposure, we will distribute updated estimates. We expect to be able to update losses and exposure for the General Liability and Workers' Compensation programs near the end of the calendar year. If you are aware that you have had any substantial changes over the past 12 months, please contact Rebekah Winger and a better estimate can be developed for you.

Excess Workers' Compensation Program

Premium

19/20 Premium:	\$961,472	2019/20 Estimated Payroll:	\$123,690,780
20/21 Premium:	\$677,578	2020/21 Estimated Payroll:	\$108,896,741
21/22 Estimated Premium:	\$744,000 to \$786,000		

The EWC premium projections assume a 5% payroll increase for all members. We have assumed pool rate increases of 2.5%-12.5% for County and School Members. We have assumed pool rate increases of 2.5%-10% for High Safety members and increases of 2.5%-7.5% for Low Safety members. We have also assumed reinsurance increases of 5-15% for all carriers.

General Liability 1 Program

Premium

19/20 Premium:	\$835,290	2019/20 Estimated Payroll:	\$111,524,018
20/21 Premium:	\$1,019,985	2020/21 Estimated Payroll:	\$118,255,794
21/22 Estimated Premium:	\$1,370,000 to \$1,569,000		

Public entities and the insurance industry have witnessed dramatic increases in liability loss development in recent years. In 2018/19, the GL1 program experienced significant loss development and a deterioration of surplus. PRISM successfully implemented a loss portfolio transfer (LPT) in 2019/20, which reduced outstanding losses and stabilized the program's funding position. The LPT agreement provides reinsurance for the next 5 years, during which the Underwriting Committee has determined to gradually increase the program's confidence level to continue building surplus. These estimates account for a confidence level increase in addition to increases for rising claim costs. Pool rates are estimated at an overall increase of 18%-33% for non-school members and 18%-38% for school members. Due to the hard liability market, we are estimating 10%-50% rate increases for the excess insurance layers. Staff has assumed exposure increases of 5% for all members.

Agenda Item 8.5**DISCUSSION/ACTION ITEMS****SUBJECT: Investment Status Report**

BACKGROUND AND STATUS:

Ms. Allison Kaune of PFM Asset Management LLC will be present at the Board Meeting and provide an in-depth report regarding the status of CAPRI's investments.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- CAPRI 3Q Investment Performance Review



CALIFORNIA ASSOCIATION FOR PARK AND RECREATION INDEMNITY

Investment Performance Review For the Quarter Ended September 30, 2020

Client Management Team

PFM Asset Management LLC

Lauren Brant, Managing Director

50 California St, Suite 2300

213 Market Street

Allison Kaune, Senior Client Representative

San Francisco, CA 94111

Harrisburg, PA 17101-2141

Lesley Murphy, Senior Managing Consultant

415-982-5544

717-232-2723

Market Update

Markets Face Many Uncertainties Moving into the Fourth Quarter

◆ Coronavirus

- Spread during **colder months** and flu season
- Development of **vaccines**
- Impact on **economic recovery**

◆ Markets

- **Valuations** of bonds and equities
- Further **fiscal stimulus**
- **Fed** policies

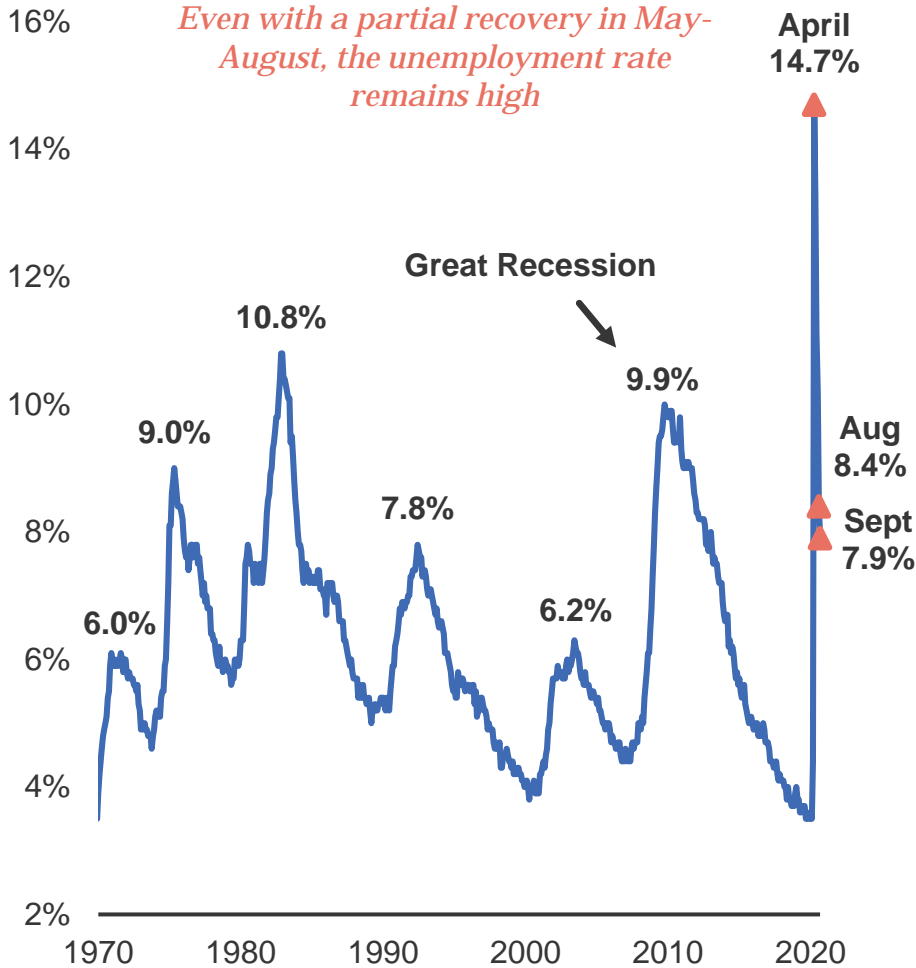
◆ Presidential election

- Priorities of government **spending**
- **Tax law** changes
- **Foreign** and **trade policies**
- Future of **ACA**



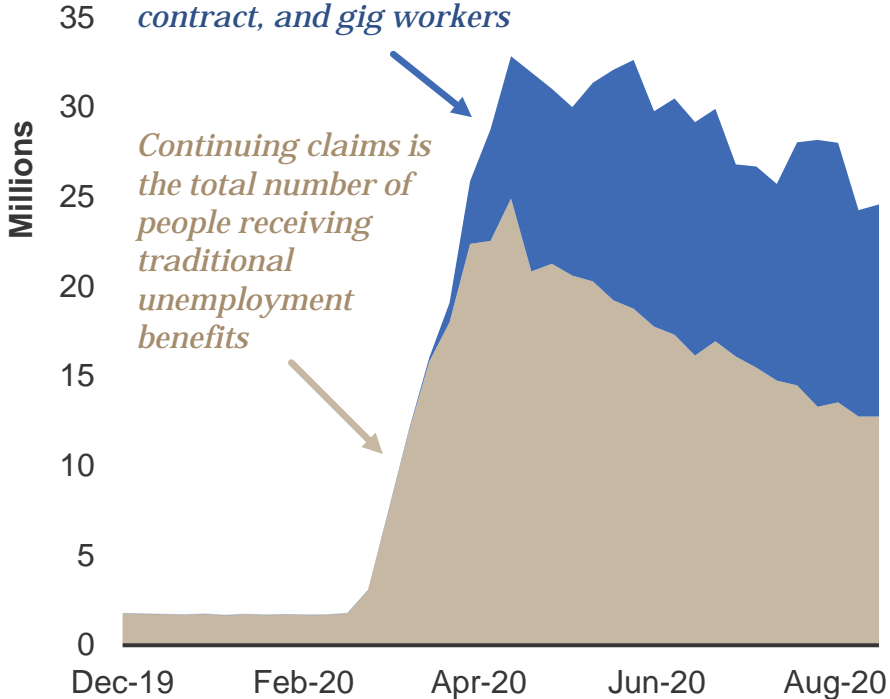
Achieving Pre-Pandemic Employment Levels May Be Challenging

Unemployment Rate



Continuing Claims and Pandemic Unemployment Assistance

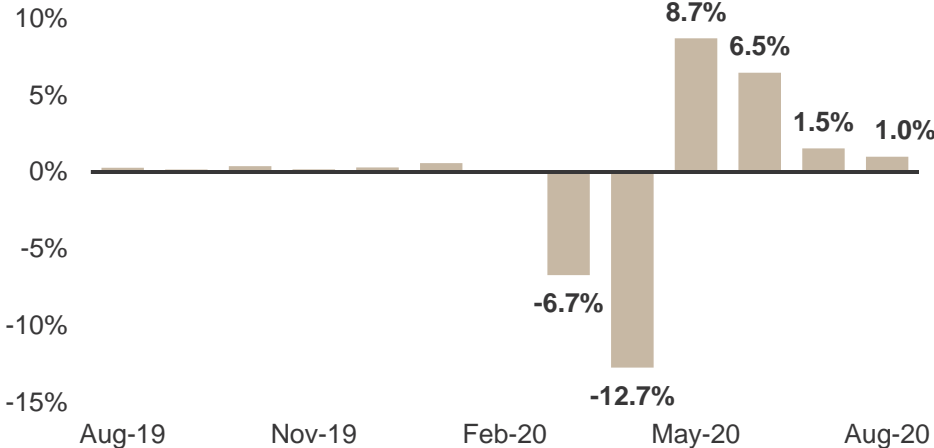
Pandemic Unemployment Assistance is the federal government program that extended benefits for those who have otherwise exhausted traditional benefits, and extended it to individuals out of work due to the pandemic, including formerly self-employed, contract, and gig workers



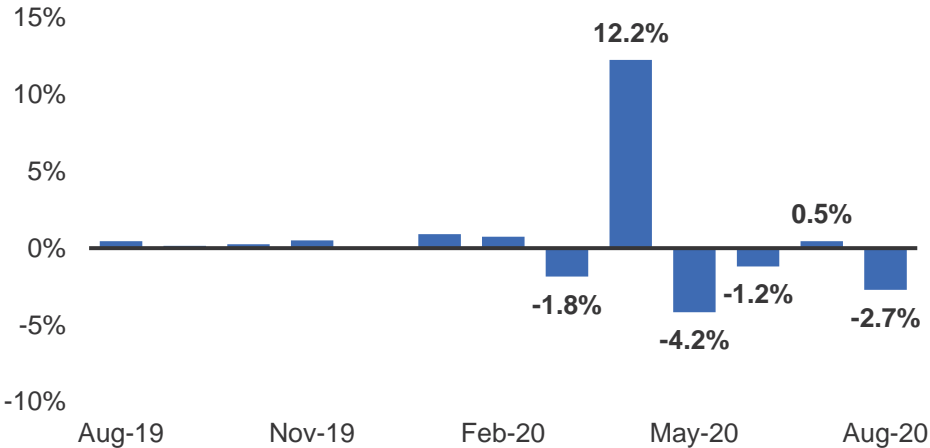
Source: Bloomberg as of 9/30/2020. Data is seasonally adjusted. Source (quote): Department of Labor.

Economic Indicators Show Resilience, but Future Improvement May Slow

Personal Spending (MoM%)

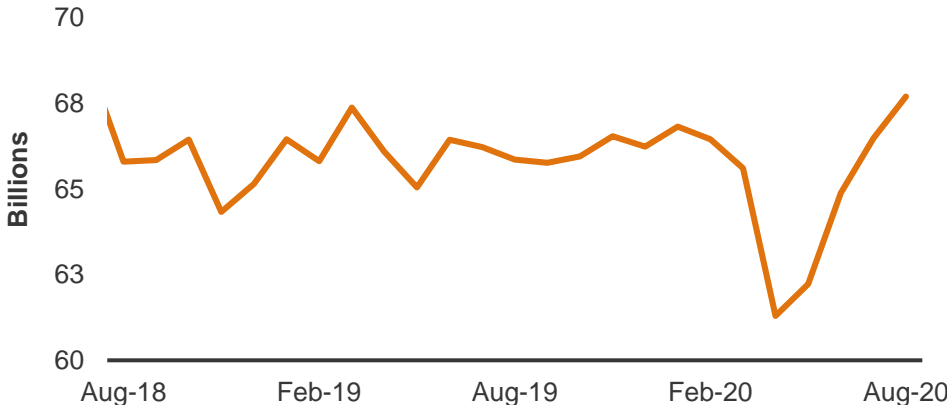


Personal Income (MoM%)

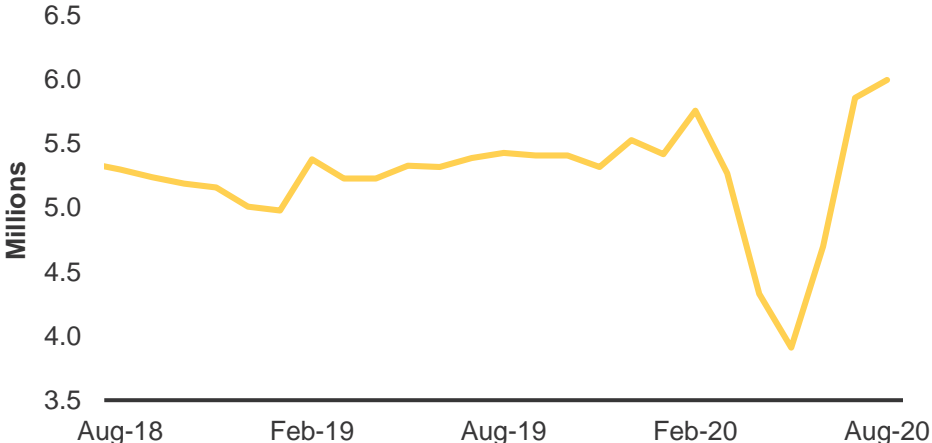


Business Investment

Nondefense Capital Goods Orders Excl. Aircraft, monthly



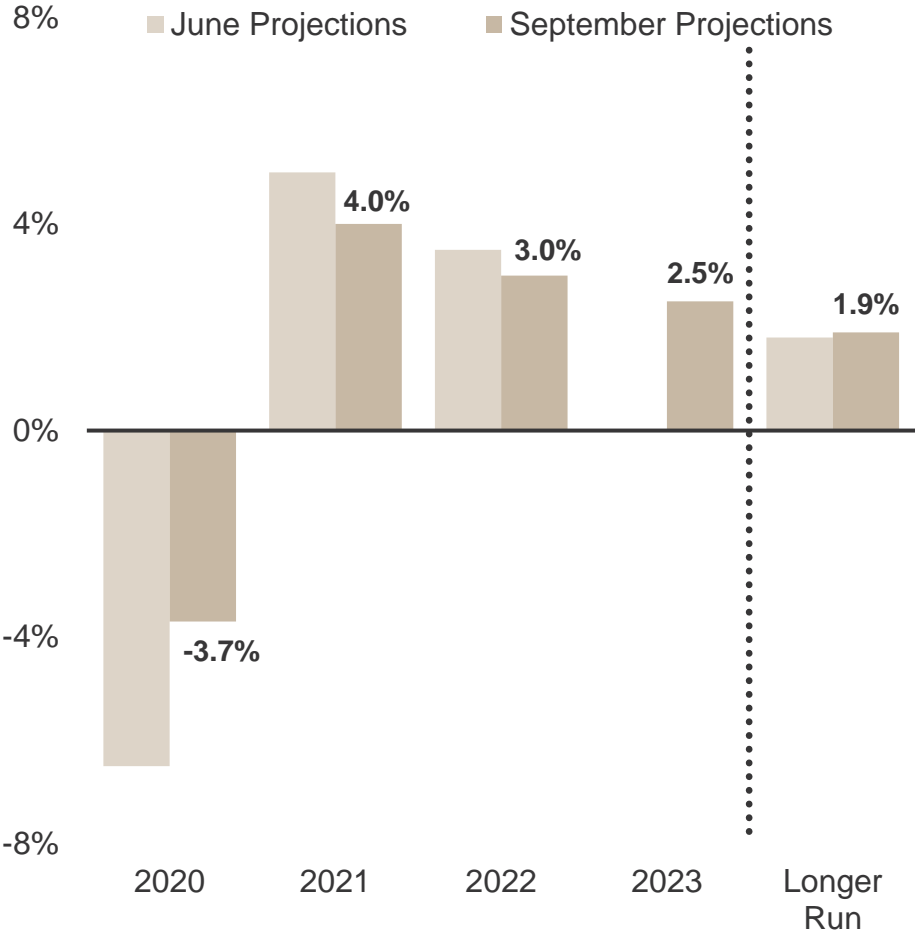
Existing Home Sales (SAAR)



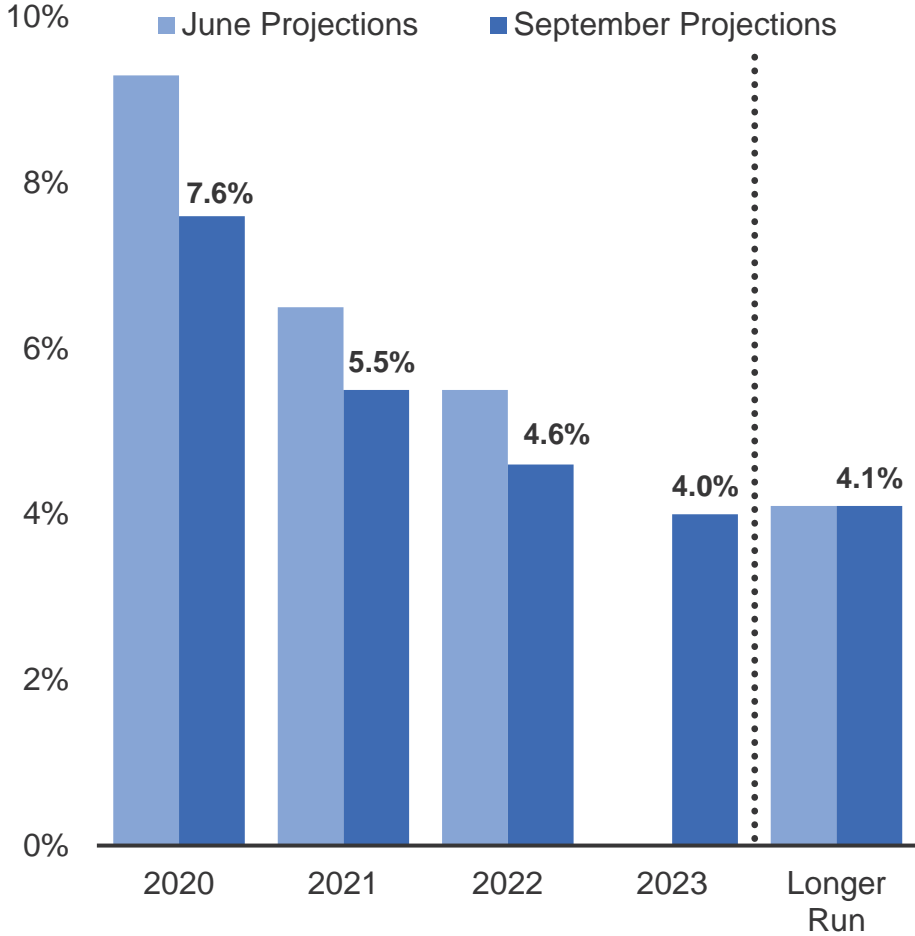
Source: Bloomberg, latest available data as of 10/2/2020.

The Fed's Economic Projections Pull Improvement Forward

Change in Real GDP



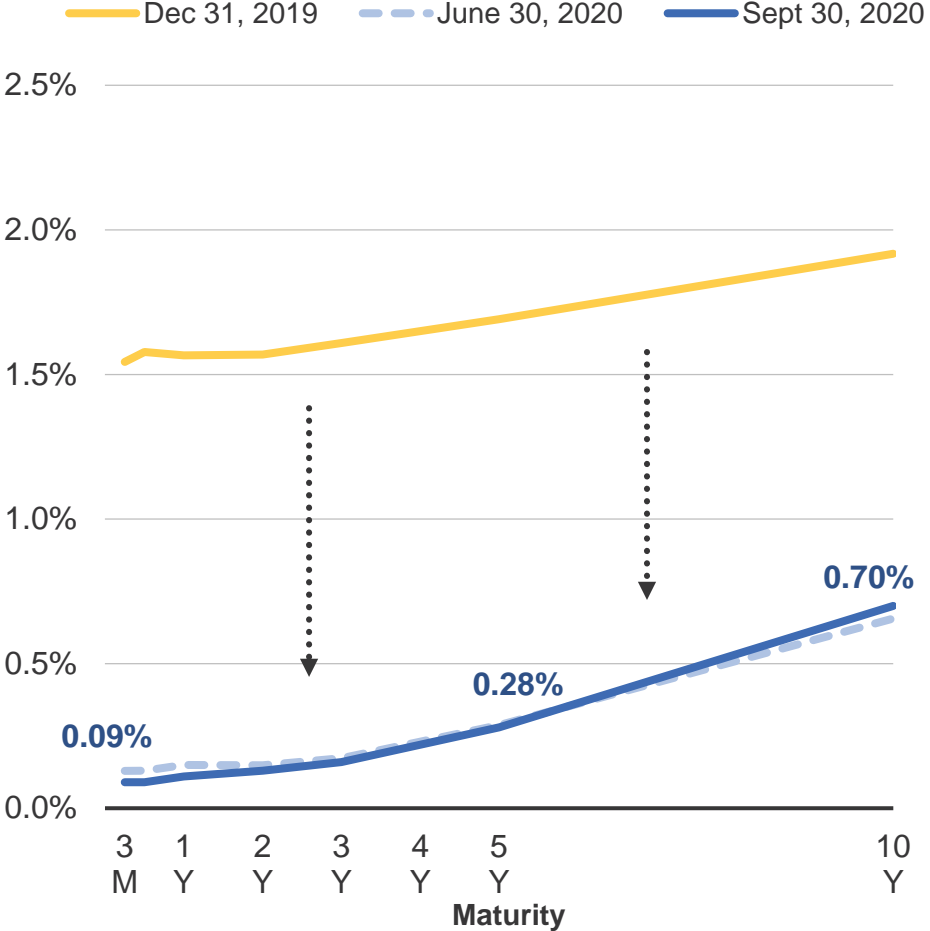
Unemployment Rate



Source: Federal Reserve, economic projections as of June and September 2020.

Interest Rates Remain Stable Near Historic Lows

US Treasury Yield Curve



3-Year Treasury Yield



Source: Bloomberg as of 10/2/2020.

Portfolio Overview

Sector Allocation & Compliance

- The portfolio is in compliance with CAPRI's Investment Policy and California Government Code.

Security Type	Market Value as of 9/30/20	% of Portfolio	Permitted by Policy	In Compliance
U.S. Treasury	\$8,494,899	39.0%	100%	✓
Federal Agency	\$3,078,739	14.1%	100%	✓
Federal Agency CMOs	\$404,032	1.8%	100%	✓
Municipal Obligations	\$459,918	2.1%	30%	✓
Supranationals	\$202,093	0.9%	30%	✓
Negotiable CDs	\$1,935,710	8.9%	30%	✓
Corporate Notes	\$5,638,335	25.9%	30%	✓
Asset-Backed Securities	\$1,595,211	7.3%	20%	✓
Securities Sub-Total	\$21,808,937	100.0%		
Accrued Interest	\$98,844			
Total Investments	\$21,907,781	100.0%		

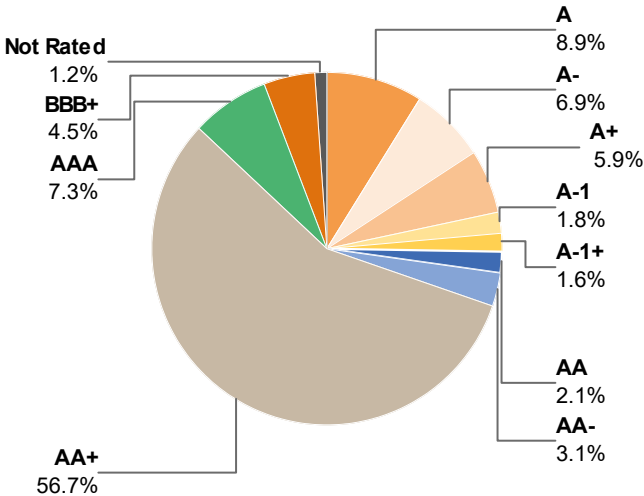
Market values, excluding accrued interest. Detail may not add to total due to rounding. Current investment policy as of November 2019.

Portfolio Statistics

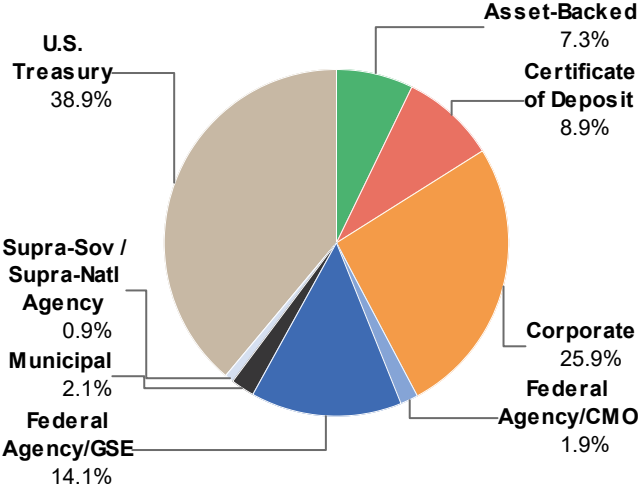
As of September 30, 2020

Par Value:	\$21,023,724
Total Market Value:	\$21,907,781
Security Market Value:	\$21,808,937
Accrued Interest:	\$98,844
Cash:	-
Amortized Cost:	\$21,244,637
Yield at Market:	0.53%
Yield at Cost:	1.66%
Effective Duration:	2.71 Years
Average Maturity:	2.96 Years
Average Credit: *	AA

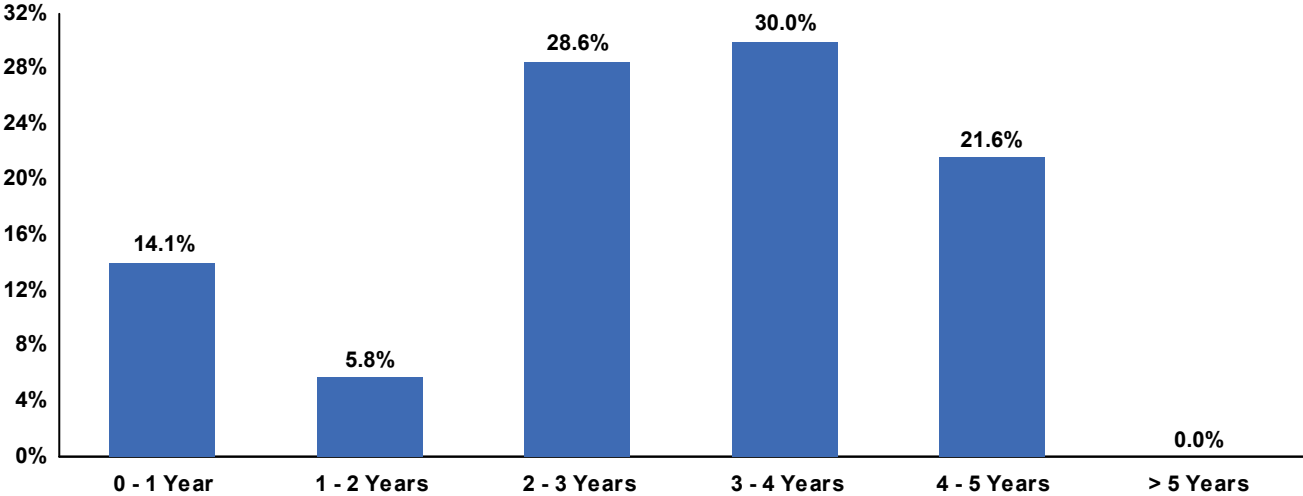
Credit Quality (S&P Ratings)**



Sector Allocation



Maturity Distribution

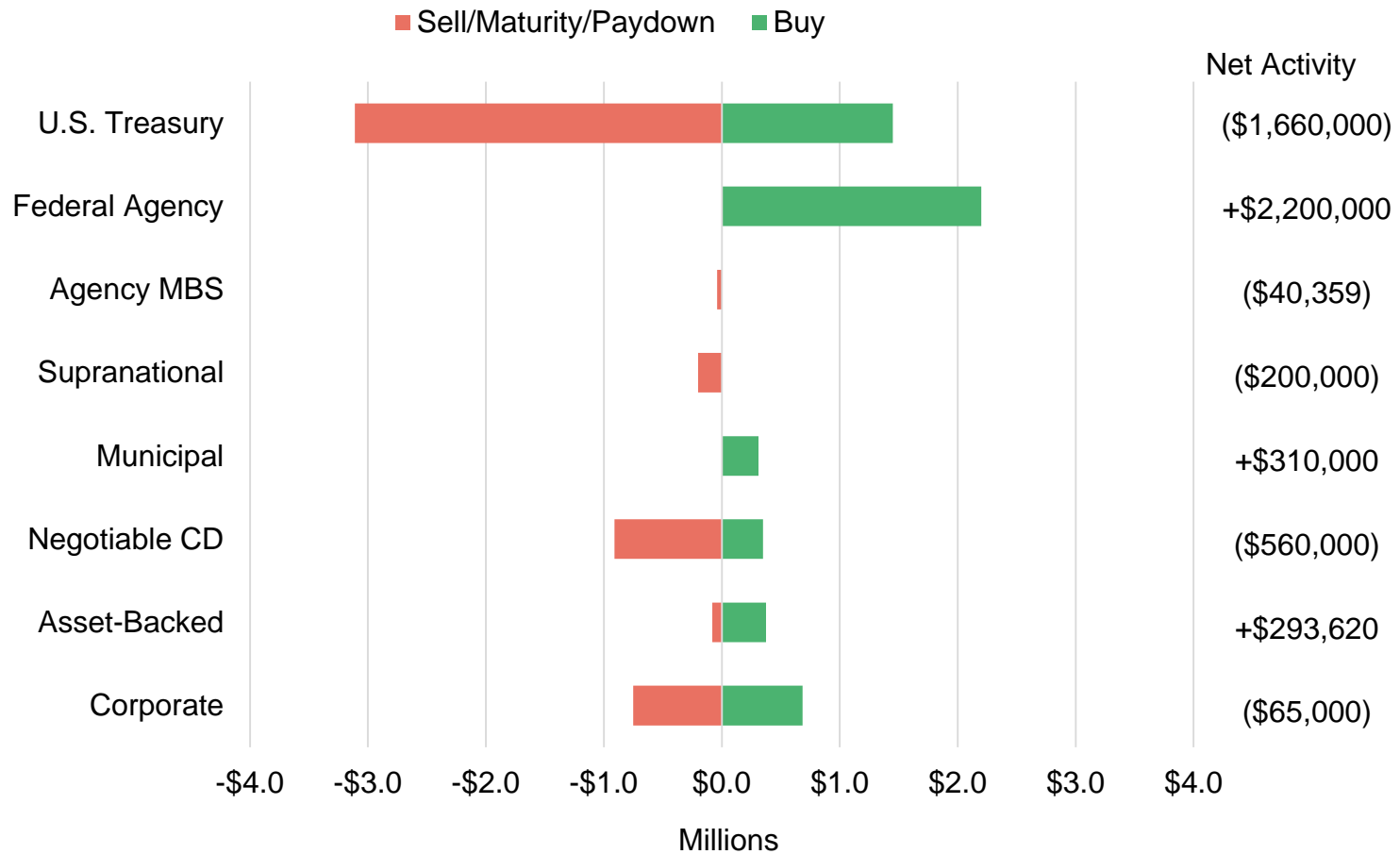


* An average of each security's credit rating assigned a numeric value and adjusted for its relative weighting in the portfolio.
 **Securities held in the CAPRI's portfolio are in compliance with California Government Code and CAPRI's Investment Policy dated November 2019.

Portfolio Recap

- Our third quarter strategy encompassed the following:
 - We maintained a sharp focus on portfolio safety with robust due diligence on credit and securitized products given the backdrop of a fragile economic environment.
 - The portfolio's duration was targeted to match its benchmark as few catalysts were present to push yields meaningfully higher over the near term.
 - U.S. Treasury allocation was reduced further as financial markets stabilized and other sectors presented better investment opportunities to enhance portfolio earnings. Increased allocations to other investment-grade sectors boosted performance for the second consecutive quarter.
 - We continued to increase allocation to the federal agency sector as yield spreads on new issue bonds remained elevated from a historical perspective, especially for maturities of three years and longer. Value in callable structures was limited as spreads narrowed noticeably on most structures.
 - Investment-grade corporate notes were, once again, a significant benefit for portfolio performance during the quarter. Supply was robust as corporations continued to take advantage of the low borrowing rate environment by issuing new bonds at a rapid pace. However, investor demand was strong and pressured spreads lower. While narrower spreads benefited third quarter performance, they also reduced future earnings potential. As a result, we modestly decreased allocations in the sector with a focus on reducing exposure to industries that face significant headwinds and locking in gains on issuers with very tight spreads.
 - AAA-rated ABS offered fair value, so we maintained the portfolio's allocation. After pausing new purchases in the second quarter, we reevaluated underlying risks in the sector by conducting robust stress testing under a wide range of adverse scenarios, which affirmed the ability of most ABS to weather the current economic downturn. In the third quarter, we once again became selective buyers of new issues, focusing on those issues with increased credit enhancements.
 - The taxable municipal sector remained active as entities benefited from the low borrowing rate environment. Finding value and diversification, PFM increased its participation in new issue municipal debt during the quarter as we viewed the sector to be quite attractive, even compared to some high-quality corporate issuers.

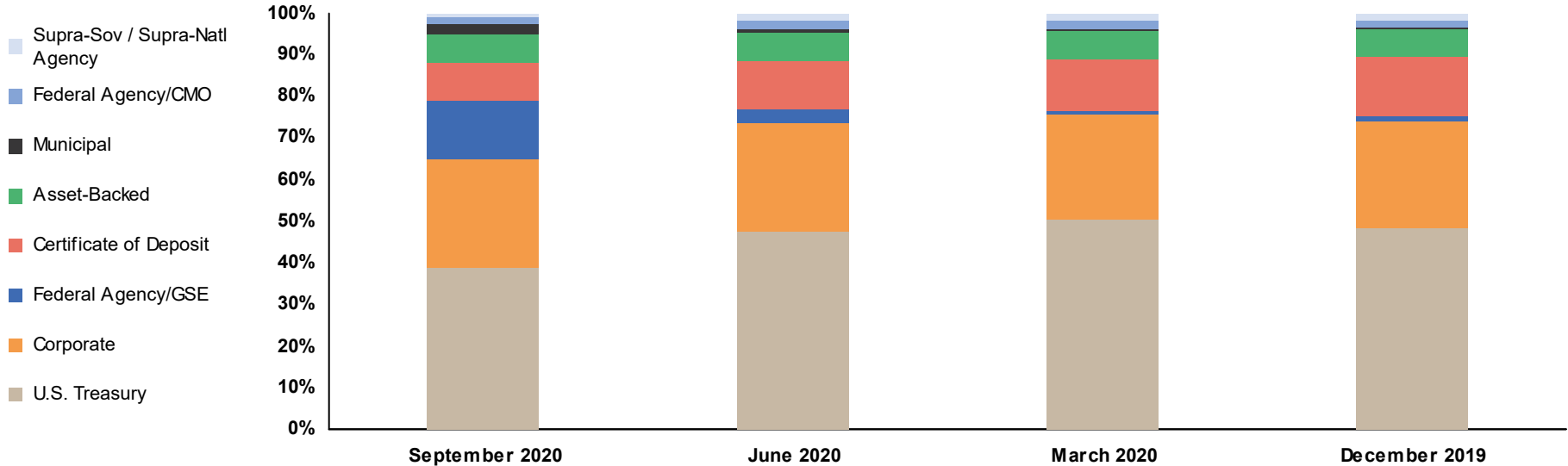
**Summary of Trade Activity
July 1, 2020 – September 30, 2020**



Based on par value of buys, sells, maturities and paydowns.

Sector Allocation

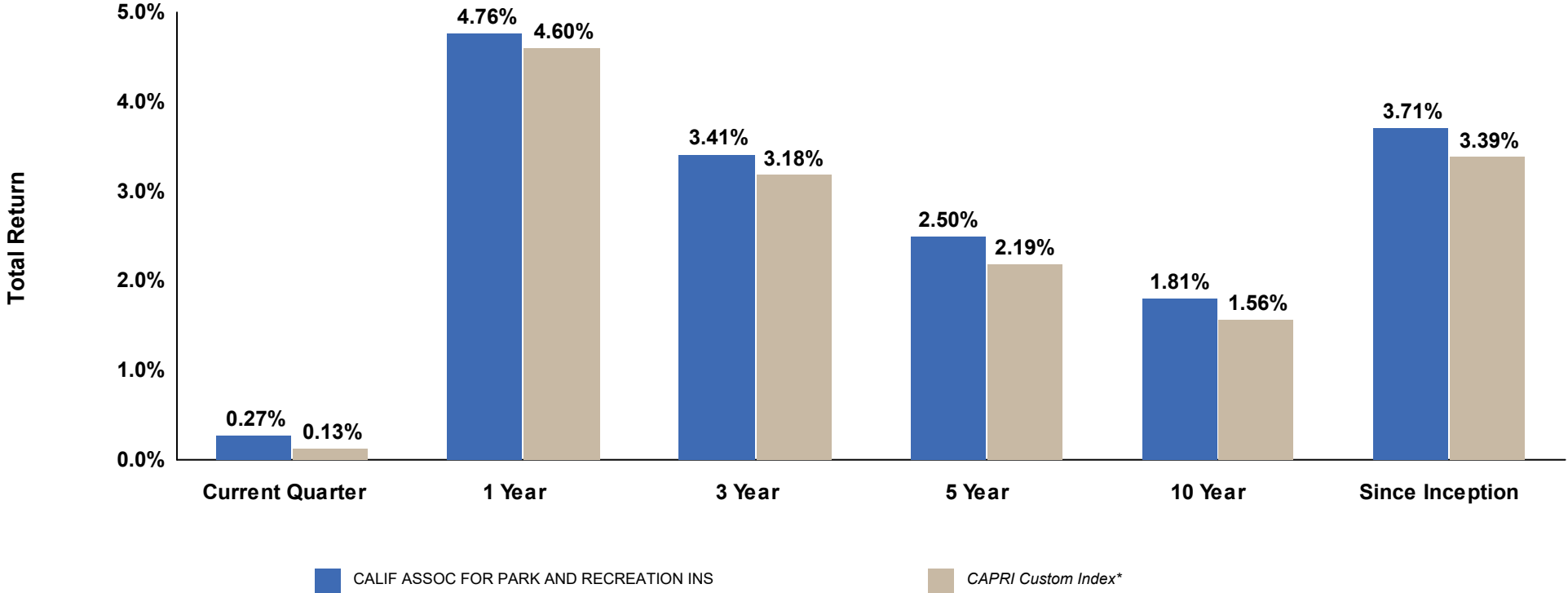
Sector	September 30, 2020		June 30, 2020		March 31, 2020		December 31, 2019	
	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total
U.S. Treasury	8.5	38.9%	10.2	47.4%	10.8	50.4%	10.3	48.3%
Corporate	5.6	25.9%	5.6	26.2%	5.4	25.0%	5.5	25.7%
Federal Agency/GSE	3.1	14.1%	0.7	3.0%	0.2	0.9%	0.2	0.9%
Certificate of Deposit	1.9	8.9%	2.5	11.6%	2.7	12.5%	3.1	14.7%
Asset-Backed	1.6	7.3%	1.5	7.1%	1.5	6.9%	1.4	6.6%
Municipal	0.5	2.1%	0.1	0.7%	0.1	0.2%	0.0	0.2%
Federal Agency/CMO	0.4	1.9%	0.4	2.1%	0.5	2.2%	0.4	1.7%
Supra-Sov / Supra-Natl Agency	0.2	0.9%	0.4	1.9%	0.4	1.9%	0.4	1.9%
Total	\$21.8	100.0%	\$21.6	100.0%	\$21.5	100.0%	\$21.3	100.0%



Detail may not add to total due to rounding.

Portfolio Performance (Total Return)

Portfolio/Benchmark	Effective Duration	Current Quarter	Annualized Return				
			1 Year	3 Year	5 Year	10 Year	Since Inception (03/31/95)
CALIF ASSOC FOR PARK AND RECREATION INS	2.71	0.27%	4.76%	3.41%	2.50%	1.81%	3.71%
CAPRI Custom Index*	2.58	0.13%	4.60%	3.18%	2.19%	1.56%	3.39%
Difference		0.14%	0.16%	0.23%	0.31%	0.25%	0.32%



Portfolio performance is gross of fees unless otherwise indicated.

*CAPRI's benchmark was the ICE BofAML 1-Year U.S. Treasury Bill Index from inception until March 31, 2001, then the ICE BofAML 1-Year Treasury Note Index until September 30, 2001, then the ICE BofAML 1-3 Year Treasury Index until June 30, 2012, and was changed to the ICE BofAML 1-5 Year Treasury Index on July 1, 2012.

Investment Strategy Outlook

- The U.S. and global economic recoveries have been stronger than expected. In the U.S., however, the pace of recovery appears to be slowing. Getting back to pre-pandemic growth and employment levels will likely be challenging.
- Considering the economic uncertainties that remain, we plan on maintaining the portfolio's neutral duration position relative to the benchmark.
- Our outlook for major investment-grade sectors includes the following:
 - Agencies – The continued reach for yield and safety should pressure agency spreads back to pre-COVID levels. Given this backdrop, we plan to continue to add to allocations at current yield spreads, which remain historically wide. Value is concentrated in maturities of three years and longer.
 - Taxable Municipals – The taxable municipal sector remains attractive even though valuations have increased. We remain focused on the largest issuers while exercising caution on many subsectors given the fiscal impact from COVID-19. Purchases in the sector will likely be made in new issues, which are expected to remain elevated.
 - Corporates – Corporate liquidity is strong, and debt servicing costs are low, but we have concerns about the slowing of the economic recovery and the longer-term effects of increased leverage on corporate balance sheets. Another surge in COVID-19 cases, a stock market sell-off, rising geopolitical tensions, and the presidential election could be catalysts for a potential spike in volatility. Further, a global slowdown, trade conflicts, and a weaker dollar may continue to pressure industrial profits. On the other hand, rating agency downgrades have slowed materially, which is a positive, and the Fed's unprecedented support should help anchor spreads. As a result, corporates will remain a core, long-term holding in the portfolio and we will continue to exercise caution.
 - Asset-Backed Securities (ABS) – The ABS sector outperformed Treasuries during September as spreads continued to tighten due to limited supply amid continuing economic recovery. Our expectation is for delinquency rates and net losses to increase as deferral programs start to phase out and the consumer feels the pinch from reduced federal unemployment benefits. However, we believe these factors will remain well within an acceptable range based upon PFM's stress tests. Value is now on par with the corporate sector. We will continue to be selective when evaluating new issues.

Portfolio Details

Portfolio Earnings

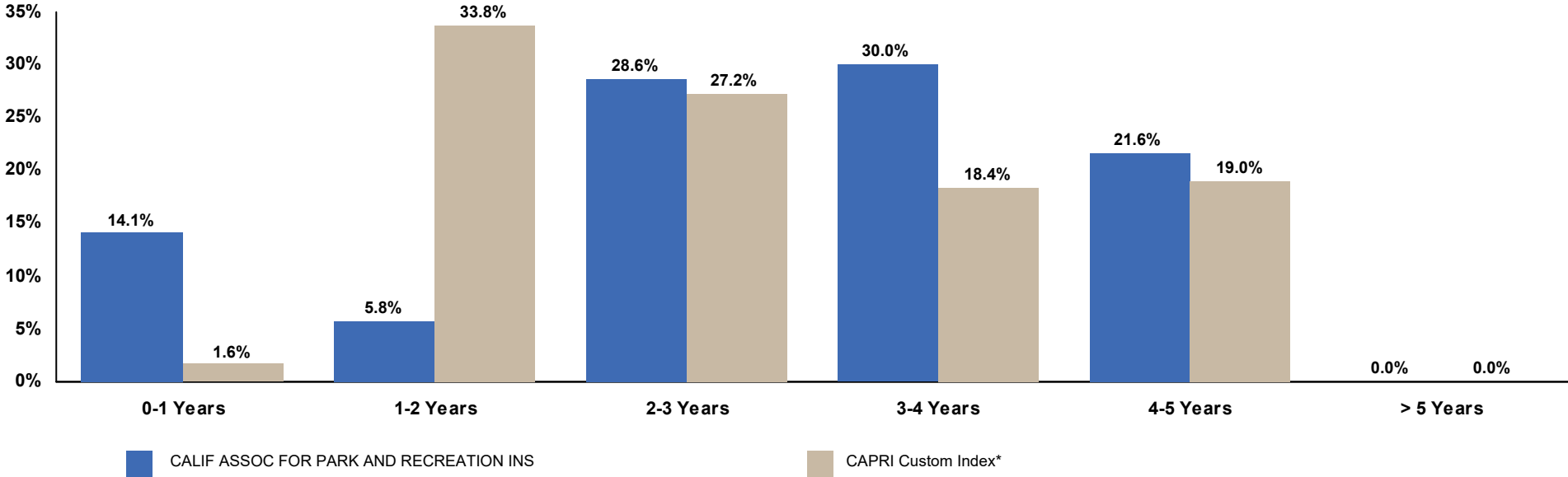
Quarter-Ended September 30, 2020

	Market Value Basis	Accrual (Amortized Cost) Basis
Beginning Value (06/30/2020)	\$21,568,349.25	\$20,774,753.89
Net Purchases/Sales	\$287,780.29	\$287,780.29
Change in Value	(\$47,192.10)	\$182,102.80
Ending Value (09/30/2020)	\$21,808,937.44	\$21,244,636.98
Interest Earned	\$105,378.77	\$105,378.77
Portfolio Earnings	\$58,186.67	\$287,481.57

Maturity Distribution

As of September 30, 2020

Portfolio/Benchmark	Yield at Market	Average Maturity	0-1 Years	1-2 Years	2-3 Years	3-4 Years	4-5 Years	>5 Years
CALIF ASSOC FOR PARK AND RECREATION INS	0.53%	2.96 yrs	14.1%	5.8%	28.6%	30.0%	21.6%	0.0%
CAPRI Custom Index*	0.16%	2.73 yrs	1.6%	33.8%	27.2%	18.4%	19.0%	0.0%



*CAPRI's benchmark was the ICE BofAML 1-Year U.S. Treasury Bill Index from inception until March 31, 2001, then the ICE BofAML 1-Year Treasury Note Index until September 30, 2001, then the ICE BofAML 1-3 Year Treasury Index until June 30, 2012, and was changed to the ICE BofAML 1-5 Year Treasury Index on July 1, 2012.

Issuer Distribution
As of September 30, 2020

Issuer	Market Value (\$)	% of Portfolio
UNITED STATES TREASURY	8,494,899	38.9%
FREDDIE MAC	2,444,801	11.2%
FEDERAL HOME LOAN BANKS	527,574	2.4%
FANNIE MAE	510,396	2.3%
SWEDBANK AB	400,984	1.8%
CAPITAL ONE FINANCIAL CORP	385,295	1.8%
APPLE INC	383,119	1.8%
JP MORGAN CHASE & CO	373,351	1.7%
US BANCORP	372,313	1.7%
ROYAL BANK OF CANADA	357,448	1.6%
THE BANK OF NEW YORK MELLON CORPORATION	291,746	1.3%
HONDA AUTO RECEIVABLES	280,305	1.3%
MORGAN STANLEY	220,041	1.0%
GOLDMAN SACHS GROUP INC	219,420	1.0%
PNC FINANCIAL SERVICES GROUP	217,678	1.0%
AMAZON.COM INC	216,547	1.0%
VOLKSWAGEN OF AMERICA	213,772	1.0%
TRUIST FIN CORP	212,419	1.0%

Top 5 = 56.8%

Top 10 = 65.3%

Issuer	Market Value (\$)	% of Portfolio
AMERICAN HONDA FINANCE	211,244	1.0%
THE WALT DISNEY CORPORATION	208,164	1.0%
MITSUBISHI UFJ FINANCIAL GROUP INC	207,662	1.0%
DNB ASA	207,416	1.0%
SKANDINAVISKA ENSKILDA BANKEN AB	205,947	0.9%
NORDEA BANK ABP	205,909	0.9%
GENERAL DYNAMICS CORP	203,344	0.9%
NATIONAL RURAL UTILITIES CO FINANCE CORP	202,402	0.9%
INTERNATIONAL FINANCE CORPORATION	202,093	0.9%
IBM CORP	201,638	0.9%
WELLS FARGO & COMPANY	200,750	0.9%
WAL-MART STORES INC	200,688	0.9%
SUMITOMO MITSUI FINANCIAL GROUP INC	200,216	0.9%
FLORIDA ST HURRICAN CAT FUND	192,882	0.9%
NISSAN AUTO RECEIVABLES	188,937	0.9%
DEERE & COMPANY	185,146	0.9%
PACCAR FINANCIAL CORP	171,412	0.8%
ABBOTT LABORATORIES	171,219	0.8%
BANK OF AMERICA CO	170,222	0.8%
CITIGROUP INC	165,209	0.8%
TOYOTA MOTOR CORP	156,481	0.7%

Issuer	Market Value (\$)	% of Portfolio
HARLEY-DAVIDSON MOTORCYCLE TRUST	152,706	0.7%
CATERPILLAR INC	150,836	0.7%
CREDIT SUISSE GROUP RK	150,128	0.7%
CHARLES SCHWAB	127,002	0.6%
PEPSICO INC	126,061	0.6%
GM FINANCIAL SECURITIZED TERM	119,372	0.6%
VERIZON OWNER TRUST	112,802	0.5%
AMERICAN EXPRESS CO	100,977	0.5%
BRISTOL-MYERS SQUIBB CO	97,504	0.5%
STATE OF CONNECTICUT	93,902	0.4%
CAPITAL ONE PRIME AUTO REC TRUST	92,029	0.4%
HERSHEY COMPANY	81,405	0.4%
MINNESOTA ST	65,291	0.3%
UNIVERSITY OF CALIFORNIA	55,228	0.3%
CHAFFEY CA JT UNION HS DIST	52,616	0.2%
GM FINANCIAL AUTO LEASING TRUST	49,995	0.2%
Grand Total:	21,808,937	100.0%

Sector/Issuer Distribution

As of September 30, 2020

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
Asset-Backed			
CAPITAL ONE FINANCIAL CORP	385,295	24.2%	1.8%
CAPITAL ONE PRIME AUTO REC TRUST	92,029	5.8%	0.4%
GM FINANCIAL AUTO LEASING TRUST	49,995	3.1%	0.2%
GM FINANCIAL SECURITIZED TERM	119,372	7.5%	0.5%
HARLEY-DAVIDSON MOTORCYCLE TRUST	152,706	9.6%	0.7%
HONDA AUTO RECEIVABLES	280,305	17.6%	1.3%
NISSAN AUTO RECEIVABLES	188,937	11.8%	0.9%
VERIZON OWNER TRUST	112,802	7.1%	0.5%
VOLKSWAGEN OF AMERICA	213,772	13.4%	1.0%
Sector Total	1,595,212	100.0%	7.3%
Certificate of Deposit			
CREDIT SUISSE GROUP RK	150,128	7.8%	0.7%
DNB ASA	207,416	10.7%	1.0%
MITSUBISHI UFJ FINANCIAL GROUP INC	207,662	10.7%	1.0%
NORDEA BANK ABP	205,909	10.6%	0.9%
ROYAL BANK OF CANADA	357,448	18.5%	1.6%
SKANDINAVISKA ENSKILDA BANKEN AB	205,947	10.6%	0.9%
SUMITOMO MITSUI FINANCIAL GROUP INC	200,216	10.3%	0.9%
SWEDBANK AB	400,984	20.7%	1.8%

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
Sector Total	1,935,710	100.0%	8.9%
Corporate			
ABBOTT LABORATORIES	171,219	3.0%	0.8%
AMAZON.COM INC	216,547	3.8%	1.0%
AMERICAN EXPRESS CO	100,977	1.8%	0.5%
AMERICAN HONDA FINANCE	211,244	3.7%	1.0%
APPLE INC	383,119	6.8%	1.8%
BANK OF AMERICA CO	170,222	3.0%	0.8%
BRISTOL-MYERS SQUIBB CO	97,504	1.7%	0.4%
CATERPILLAR INC	150,836	2.7%	0.7%
CHARLES SCHWAB	127,002	2.3%	0.6%
CITIGROUP INC	165,209	2.9%	0.8%
DEERE & COMPANY	185,146	3.3%	0.8%
GENERAL DYNAMICS CORP	203,344	3.6%	0.9%
GOLDMAN SACHS GROUP INC	219,420	3.9%	1.0%
HERSHEY COMPANY	81,405	1.4%	0.4%
IBM CORP	201,638	3.6%	0.9%
JP MORGAN CHASE & CO	373,351	6.6%	1.7%
MORGAN STANLEY	220,041	3.9%	1.0%
NATIONAL RURAL UTILITIES CO FINANCE CORP	202,402	3.6%	0.9%
PACCAR FINANCIAL CORP	171,412	3.0%	0.8%
PEPSICO INC	126,061	2.2%	0.6%
PNC FINANCIAL SERVICES GROUP	217,678	3.9%	1.0%
THE BANK OF NEW YORK MELLON CORPORATION	291,746	5.2%	1.3%

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
THE WALT DISNEY CORPORATION	208,164	3.7%	1.0%
TOYOTA MOTOR CORP	156,481	2.8%	0.7%
TRUIST FIN CORP	212,419	3.8%	1.0%
US BANCORP	372,313	6.6%	1.7%
WAL-MART STORES INC	200,688	3.6%	0.9%
WELLS FARGO & COMPANY	200,750	3.6%	0.9%
Sector Total	5,638,335	100.0%	25.9%
Federal Agency/CMO			
FANNIE MAE	58,676	14.5%	0.3%
FREDDIE MAC	345,355	85.5%	1.6%
Sector Total	404,032	100.0%	1.9%
Federal Agency/GSE			
FANNIE MAE	451,720	14.7%	2.1%
FEDERAL HOME LOAN BANKS	527,574	17.1%	2.4%
FREDDIE MAC	2,099,446	68.2%	9.6%
Sector Total	3,078,739	100.0%	14.1%
Municipal			
CHAFFEY CA JT UNION HS DIST	52,616	11.4%	0.2%
FLORIDA ST HURRICAN CAT FUND	192,882	41.9%	0.9%
MINNESOTA ST	65,291	14.2%	0.3%
STATE OF CONNECTICUT	93,902	20.4%	0.4%

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
UNIVERSITY OF CALIFORNIA	55,228	12.0%	0.3%
Sector Total	459,918	100.0%	2.1%
Supra-Sov / Supra-Natl Agency			
INTERNATIONAL FINANCE CORPORATION	202,093	100.0%	0.9%
Sector Total	202,093	100.0%	0.9%
U.S. Treasury			
UNITED STATES TREASURY	8,494,899	100.0%	39.0%
Sector Total	8,494,899	100.0%	39.0%
Portfolio Total	21,808,937	100.0%	100.0%

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
BUY									
7/1/20	7/6/20	1,150,000	912828YY0	US TREASURY N/B	1.75%	12/31/24	1,225,437.51	0.28%	
7/6/20	7/8/20	150,000	14913R2D8	CATERPILLAR FINL SERVICE CORPORATE NOTES	0.65%	7/7/23	149,916.00	0.67%	
7/10/20	7/14/20	200,000	86565CKU2	SUMITOMO MITSUI BANK NY CERT DEPOS	0.70%	7/8/22	200,000.00	0.70%	
7/10/20	7/16/20	55,000	91412HGE7	UNIV OF CAL TXBL REV BONDS	0.88%	5/15/25	55,000.00	0.88%	
7/21/20	7/23/20	275,000	3137EAEU9	FREDDIE MAC NOTES	0.37%	7/21/25	273,630.50	0.48%	
8/5/20	8/7/20	150,000	22549L6F7	CREDIT SUISSE NEW YORK CERT DEPOS	0.52%	2/1/22	150,000.00	0.52%	
8/5/20	8/7/20	300,000	912828YY0	US TREASURY N/B	1.75%	12/31/24	321,190.56	0.18%	
8/11/20	8/25/20	65,000	60412AVJ9	MN ST TXBL GO BONDS	0.63%	8/1/25	65,000.00	0.63%	
8/18/20	8/20/20	150,000	06051GFS3	BANK OF AMERICA CORP NOTES	3.87%	8/1/25	171,585.77	0.93%	
8/19/20	8/21/20	800,000	3137EAEV7	FREDDIE MAC NOTES	0.25%	8/24/23	799,184.00	0.28%	
8/25/20	8/27/20	225,000	3135G05X7	FANNIE MAE NOTES	0.37%	8/25/25	223,947.00	0.47%	
8/28/20	9/1/20	150,000	172967JP7	CITIGROUP INC CORP NOTES	3.30%	4/27/25	168,197.50	0.88%	
9/2/20	9/4/20	460,000	3137EAEW5	FREDDIE MAC NOTES	0.25%	9/8/23	459,848.20	0.26%	
9/2/20	9/4/20	340,000	3137EAEW5	FREDDIE MAC NOTES	0.25%	9/8/23	340,062.09	0.24%	
9/3/20	9/16/20	50,000	341271AD6	FL ST BOARD OF ADMIN TXBL REV BONDS	1.25%	7/1/25	50,331.50	1.12%	
9/3/20	9/16/20	100,000	341271AD6	FL ST BOARD OF ADMIN TXBL REV BONDS	1.25%	7/1/25	100,000.00	1.26%	
9/3/20	9/16/20	40,000	341271AD6	FL ST BOARD OF ADMIN TXBL REV BONDS	1.25%	7/1/25	40,282.80	1.11%	
9/10/20	9/11/20	100,000	3130AK5E2	FEDERAL HOME LOAN BANK NOTES	0.37%	9/4/25	99,700.00	0.44%	
9/22/20	9/29/20	50,000	362569AD7	GMALT 2020-3 A4	0.51%	10/21/24	49,993.00	0.51%	
9/22/20	9/29/20	100,000	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/24	99,985.31	0.37%	
9/23/20	9/25/20	225,000	3137EAEX3	FREDDIE MAC NOTES	0.37%	9/23/25	224,322.75	0.44%	
9/24/20	9/28/20	150,000	002824BM1	ABBOTT LABORATORIES CORPORATE NOTES (CAL	3.87%	9/15/25	172,106.90	0.86%	
9/29/20	9/30/20	85,000	110122DC9	BRISTOL-MYERS SQUIBB CO CORPORATE NOTES	3.87%	8/15/25	97,539.52	0.88%	
Total BUY		5,370,000					5,537,260.91		

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
INTEREST									
7/1/20	7/25/20	50,009	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.48		
7/1/20	7/25/20	125,000	3137BGK24	FHMS K043 A2	3.06%	12/1/24	318.96		
7/1/20	7/25/20	76,551	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	133.45		
7/1/20	7/25/20	73,906	3136B1XP4	FNA 2018-M5 A2	3.56%	9/1/21	229.88		
7/1/20	7/25/20	100,000	3137BM6P6	FHLMC SERIES K721 A2	3.09%	8/1/22	257.50		
7/6/20	7/6/20	180,000	24422ETL3	JOHN DEERE CAPITAL CORP NOTES	2.65%	1/6/22	2,385.00		
7/8/20	7/8/20	200,000	38141EC23	GOLDMAN SACHS GROUP INC BONDS	3.85%	7/8/24	3,850.00		
7/14/20	7/14/20	200,000	3130A8QS5	FHLB GLOBAL NOTE	1.12%	7/14/21	1,125.00		
7/15/20	7/15/20	150,000	41284WAC4	HDMOT 2019-A A3	2.34%	2/15/24	292.50		
7/15/20	7/15/20	185,000	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	496.42		
7/15/20	7/15/20	375,000	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	537.50		
7/15/20	7/15/20	200,000	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	526.67		
7/15/20	7/15/20	90,000	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	188.25		
7/16/20	7/16/20	135,000	36256XAD4	GMCAR 2019-1 A3	2.97%	11/16/23	334.13		
7/20/20	7/20/20	110,000	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	169.58		
7/20/20	7/20/20	250,000	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	677.08		
7/23/20	7/23/20	200,000	693475AV7	PNC BANK NA CORP NOTES	3.50%	1/23/24	3,500.00		
7/30/20	7/30/20	350,000	91159HHX1	US BANCORP	2.40%	7/30/24	4,200.00		
8/1/20	8/1/20	50,000	157411TK5	CHAFFEY UHSD, CA TXBL GO BONDS	2.10%	8/1/24	525.25		
8/1/20	8/1/20	200,000	05531FBH5	BB&T CORPORATION CORP BONDS	2.50%	8/1/24	2,500.00		
8/1/20	8/25/20	68,541	3136B1XP4	FNA 2018-M5 A2	3.56%	9/1/21	205.38		
8/1/20	8/25/20	49,918	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.24		
8/1/20	8/25/20	76,407	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	179.94		
8/1/20	8/25/20	100,000	3137BM6P6	FHLMC SERIES K721 A2	3.09%	8/1/22	257.50		
8/1/20	8/25/20	125,000	3137BGK24	FHMS K043 A2	3.06%	12/1/24	318.96		
8/5/20	8/5/20	200,000	44932HAG8	IBM CORP CORP NOTES	2.65%	2/5/21	2,650.00		
8/13/20	8/13/20	150,000	89236TGT6	TOYOTA MOTOR CREDIT CORP CORP NOTES	1.80%	2/13/25	1,350.00		
8/15/20	8/15/20	200,000	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	526.67		

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Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
8/15/20	8/15/20	185,000	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	496.42		
8/15/20	8/15/20	90,000	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	188.25		
8/15/20	8/15/20	375,000	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	537.50		
8/15/20	8/15/20	150,000	41284WAC4	HDMOT 2019-A A3	2.34%	2/15/24	292.50		
8/16/20	8/16/20	132,621	36256XAD4	GMCAR 2019-1 A3	2.97%	11/16/23	328.24		
8/20/20	8/20/20	110,000	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	169.58		
8/20/20	8/20/20	242,752	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	657.45		
8/22/20	8/22/20	200,000	023135AZ9	AMAZON.COM INC CORP NOTES	2.80%	8/22/24	2,800.00		
8/26/20	8/26/20	200,000	83050PDR7	SKANDINAV ENSKILDA BANK LT CD	1.86%	8/26/22	1,880.67		
8/26/20	8/26/20	200,000	65558TLL7	NORDEA BANK ABP NEW YORK CERT DEPOS	1.85%	8/26/22	1,870.56		
8/30/20	8/30/20	200,000	254687FK7	WALT DISNEY COMPANY/THE	1.75%	8/30/24	1,769.44		
9/1/20	9/25/20	125,000	3137BGK24	FHMS K043 A2	3.06%	12/1/24	318.96		
9/1/20	9/25/20	74,368	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	129.65		
9/1/20	9/25/20	100,000	3137BM6P6	FHLMC SERIES K721 A2	3.09%	8/1/22	257.50		
9/1/20	9/25/20	60,043	3136B1XP4	FNA 2018-M5 A2	3.56%	9/1/21	178.66		
9/1/20	9/25/20	49,830	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.01		
9/9/20	9/9/20	0	45950VLQ7	INTERNATIONAL FINANCE CORPORATION NOTE	2.63%	3/9/21	2,636.00		
9/10/20	9/10/20	0	254687FK7	WALT DISNEY COMPANY/THE	1.75%	8/30/24	19.45		
9/10/20	9/10/20	150,000	46625HJY7	JPMORGAN CHASE & CO BONDS	3.87%	9/10/24	2,906.25		
9/12/20	9/12/20	0	45905UP32	INTL BANK OF RECONSTRUCTION AND DEV NOTE	1.56%	9/12/20	1,562.00		
9/15/20	9/15/20	200,000	63743HER9	NATIONAL RURAL UTIL COOP NOTE	2.90%	3/15/21	2,900.00		
9/15/20	9/15/20	375,000	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	537.50		
9/15/20	9/15/20	150,000	41284WAC4	HDMOT 2019-A A3	2.34%	2/15/24	292.50		
9/15/20	9/15/20	190,785	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	502.40		
9/15/20	9/15/20	90,000	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	188.25		
9/15/20	9/15/20	185,000	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	496.42		
9/16/20	9/16/20	124,839	36256XAD4	GMCAR 2019-1 A3	2.97%	11/16/23	308.98		
9/20/20	9/20/20	226,323	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	612.96		
9/20/20	9/20/20	110,000	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	169.58		

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
Total INTEREST		8,566,892					53,143.02		
MATURITY									
8/3/20	8/3/20	360,000	96121T4A3	WESTPAC BANKING CORP NY CD	2.05%	8/3/20	363,608.00		0.00
8/3/20	8/3/20	350,000	06370REU9	BANK OF MONTREAL CHICAGO CERT DEPOS	3.19%	8/3/20	361,289.06		0.00
8/18/20	8/18/20	200,000	857477AS2	STATE STREET CORP NOTES	2.55%	8/18/20	202,550.00		0.00
9/12/20	9/12/20	200,000	45905UP32	INTL BANK OF RECONSTRUCTION AND DEV NOTE	1.56%	9/12/20	200,000.00		0.00
Total MATURITY		1,110,000					1,127,447.06		0.00
PAYDOWNS									
7/1/20	7/25/20	91	3137FKK39	FHMS KP05 A	3.20%	7/1/23	91.20		0.00
7/1/20	7/25/20	143	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	143.39		0.00
7/1/20	7/25/20	5,365	3136B1XP4	FNA 2018-M5 A2	3.56%	9/1/21	5,365.20		0.00
7/16/20	7/16/20	2,379	36256XAD4	GMCAR 2019-1 A3	2.97%	11/16/23	2,378.94		0.00
7/20/20	7/20/20	7,248	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	7,248.48		0.00
8/1/20	8/25/20	8,498	3136B1XP4	FNA 2018-M5 A2	3.56%	9/1/21	8,498.47		0.00
8/1/20	8/25/20	2,039	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	2,039.17		0.00
8/1/20	8/25/20	87	3137FKK39	FHMS KP05 A	3.20%	7/1/23	87.35		0.00
8/15/20	8/15/20	9,215	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	9,214.60		0.00
8/16/20	8/16/20	7,782	36256XAD4	GMCAR 2019-1 A3	2.97%	11/16/23	7,782.38		0.00
8/20/20	8/20/20	16,429	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	16,428.94		0.00
9/1/20	9/25/20	1,766	3136B1XP4	FNA 2018-M5 A2	3.56%	9/1/21	1,766.03		0.00
9/1/20	9/25/20	129	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	128.81		0.00
9/1/20	9/25/20	22,241	3137FKK39	FHMS KP05 A	3.20%	7/1/23	22,241.31		0.00
9/15/20	9/15/20	13,696	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	13,695.59		0.00
9/16/20	9/16/20	7,788	36256XAD4	GMCAR 2019-1 A3	2.97%	11/16/23	7,788.46		0.00

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
9/20/20	9/20/20	16,843	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	16,843.21		0.00
Total PAYDOWNS		121,742					121,741.53		0.00
SELL									
7/1/20	7/6/20	850,000	912828N30	US TREASURY NOTES	2.12%	12/31/22	891,233.95		48,606.42
7/6/20	7/8/20	150,000	14913Q2A6	CATERPILLAR FINL SERVICE NOTE	1.85%	9/4/20	151,326.33		377.19
7/10/20	7/14/20	200,000	86565BPC9	SUMITOMO MITSUI BANK NY CERT DEPOS	3.39%	10/16/20	203,308.17		1,667.07
7/10/20	7/16/20	50,000	912828R69	US TREASURY N/B NOTES	1.62%	5/31/23	52,197.82		3,326.05
7/21/20	7/23/20	275,000	912828XX3	US TREASURY N/B NOTES	2.00%	6/30/24	294,668.95		15,771.13
8/18/20	8/20/20	125,000	06051GGS2	BANK OF AMERICA CORP (CALLED OMD 10/01/2	2.32%	10/1/20	126,399.83		276.25
8/18/20	8/20/20	25,000	06051GFW4	BANK OF AMERICA CORP NOTE	2.62%	4/19/21	25,599.57		341.83
8/18/20	8/20/20	50,000	06051GHH5	BANK OF AMERICA CORP NOTES	3.49%	5/17/22	51,537.95		1,086.00
8/19/20	8/21/20	100,000	912828R69	US TREASURY N/B NOTES	1.62%	5/31/23	104,426.57		5,880.60
8/19/20	8/21/20	700,000	912828R69	US TREASURY N/B NOTES	1.62%	5/31/23	730,986.00		45,071.36
8/28/20	9/1/20	200,000	904764AZ0	UNILEVER CAPITAL CORP NOTES	2.75%	3/22/21	205,275.17		3,034.36
9/2/20	9/4/20	200,000	912828R69	US TREASURY N/B NOTES	1.62%	5/31/23	208,946.21		11,679.69
9/2/20	9/4/20	600,000	912828R69	US TREASURY N/B NOTES	1.62%	5/31/23	626,838.63		33,967.66
9/23/20	9/25/20	100,000	912828N30	US TREASURY NOTES	2.12%	12/31/22	104,994.57		5,313.72
9/24/20	9/28/20	150,000	912828XX3	US TREASURY N/B NOTES	2.00%	6/30/24	160,864.56		8,282.60
9/29/20	9/30/20	85,000	912828XX3	US TREASURY N/B NOTES	2.00%	6/30/24	91,212.30		4,741.48
Total SELL		3,860,000					4,029,816.58		189,423.41

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY NOTES DTD 11/15/2010 2.625% 11/15/2020	912828PC8	30,000.00	AA+	Aaa	5/3/2016	5/6/2016	31,860.94	1.21	297.45	30,050.63	30,089.06
US TREASURY NOTES DTD 12/31/2015 2.125% 12/31/2022	912828N30	975,000.00	AA+	Aaa	1/30/2019	1/31/2019	959,537.11	2.55	5,235.99	966,122.35	1,018,265.62
US TREASURY NOTES DTD 12/31/2015 2.125% 12/31/2022	912828N30	75,000.00	AA+	Aaa	1/7/2019	1/10/2019	73,918.95	2.51	402.77	74,388.32	78,328.13
US TREASURY N/B NOTES DTD 05/31/2016 1.625% 05/31/2023	912828R69	1,600,000.00	AA+	Aaa	6/3/2019	6/7/2019	1,587,437.50	1.83	8,737.70	1,591,601.96	1,662,750.08
US TREASURY N/B NOTES DTD 05/31/2016 1.625% 05/31/2023	912828R69	675,000.00	AA+	Aaa	5/1/2019	5/3/2019	658,757.81	2.25	3,686.22	664,397.31	701,472.69
US TREASURY NOTES DTD 10/31/2016 1.625% 10/31/2023	912828T91	450,000.00	AA+	Aaa	10/2/2019	10/4/2019	452,583.98	1.48	3,060.12	451,953.61	470,179.71
US TREASURY NOTES DTD 10/31/2016 1.625% 10/31/2023	912828T91	200,000.00	AA+	Aaa	10/25/2019	10/28/2019	199,906.25	1.64	1,360.05	199,927.96	208,968.76
US TREASURY NOTES DTD 10/31/2016 1.625% 10/31/2023	912828T91	630,000.00	AA+	Aaa	10/4/2019	10/8/2019	636,595.31	1.36	4,284.17	634,999.81	658,251.59
US TREASURY N/B NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	940,000.00	AA+	Aaa	12/2/2019	12/5/2019	954,100.00	1.66	4,751.09	951,557.10	1,003,156.25
US TREASURY N/B NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	850,000.00	AA+	Aaa	2/3/2020	2/7/2020	873,076.17	1.36	4,296.19	869,668.66	907,109.38
US TREASURY N/B NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	200,000.00	AA+	Aaa	3/2/2020	3/6/2020	209,742.19	0.85	1,010.87	208,451.06	213,437.50
US TREASURY N/B DTD 12/31/2019 1.750% 12/31/2024	912828YY0	1,150,000.00	AA+	Aaa	7/1/2020	7/6/2020	1,225,109.38	0.28	5,085.93	1,221,122.49	1,223,671.88
US TREASURY N/B DTD 12/31/2019 1.750% 12/31/2024	912828YY0	300,000.00	AA+	Aaa	8/5/2020	8/7/2020	320,648.44	0.18	1,326.77	319,941.74	319,218.75
Security Type Sub-Total		8,075,000.00					8,183,274.03	1.51	43,535.32	8,184,183.00	8,494,899.40

Supra-National Agency Bond / Note

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Supra-National Agency Bond / Note											
INTERNATIONAL FINANCE CORPORATION NOTE DTD 03/16/2018 2.635% 03/09/2021	45950VLQ7	200,000.00	AAA	Aaa	3/9/2018	3/16/2018	199,850.00	2.66	322.06	199,978.10	202,092.80
Security Type Sub-Total		200,000.00					199,850.00	2.66	322.06	199,978.10	202,092.80
Municipal Bond / Note											
CT ST TXBL GO BONDS DTD 06/11/2020 1.998% 07/01/2024	20772KJW0	40,000.00	A	A1	5/29/2020	6/11/2020	40,000.00	2.00	244.20	40,000.00	41,496.00
CHAFFEY UHSD, CA TXBL GO BONDS DTD 12/05/2019 2.101% 08/01/2024	157411TK5	50,000.00	AA-	Aa1	11/6/2019	12/5/2019	50,000.00	2.10	175.08	50,000.00	52,615.50
UNIV OF CAL TXBL REV BONDS DTD 07/16/2020 0.883% 05/15/2025	91412HGE7	55,000.00	AA	Aa2	7/10/2020	7/16/2020	55,000.00	0.88	101.18	55,000.00	55,227.70
CT ST T/E GO BONDS DTD 06/25/2020 2.000% 06/01/2025	20772KKK4	50,000.00	A	A1	6/12/2020	6/25/2020	52,548.50	0.94	266.67	52,409.90	52,405.50
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	100,000.00	AA	Aa3	9/3/2020	9/16/2020	100,000.00	1.26	52.42	100,000.00	101,517.00
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	50,000.00	AA	Aa3	9/3/2020	9/16/2020	50,331.50	1.12	26.21	50,328.66	50,758.50
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	40,000.00	AA	Aa3	9/3/2020	9/16/2020	40,282.80	1.11	20.97	40,280.37	40,606.80
MN ST TXBL GO BONDS DTD 08/25/2020 0.630% 08/01/2025	60412AVJ9	65,000.00	AAA	Aa1	8/11/2020	8/25/2020	65,000.00	0.63	40.95	65,000.00	65,291.20
Security Type Sub-Total		450,000.00					453,162.80	1.22	927.68	453,018.93	459,918.20
Federal Agency Collateralized Mortgage Obligation											

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Collateralized Mortgage Obligation											
FNA 2018-M5 A2 DTD 04/01/2018 3.560% 09/01/2021	3136B1XP4	58,276.79	AA+	Aaa	4/11/2018	4/30/2018	59,435.97	2.93	172.89	58,595.09	58,676.40
FHLMC SERIES K721 A2 DTD 12/01/2015 3.090% 08/01/2022	3137BM6P6	100,000.00	AA+	Aaa	4/4/2018	4/9/2018	100,851.56	2.88	257.50	100,361.71	103,038.08
FHMS KP05 A DTD 12/01/2018 3.203% 07/01/2023	3137FKK39	27,588.87	AA+	Aaa	12/7/2018	12/17/2018	27,588.78	3.20	73.64	27,588.82	28,575.45
FHMS KJ27 A1 DTD 11/01/2019 2.092% 07/01/2024	3137FQ3V3	74,239.31	AA+	Aaa	11/20/2019	11/26/2019	74,237.51	2.09	129.42	74,237.84	76,626.92
FHMS K043 A2 DTD 03/01/2015 3.062% 12/01/2024	3137BGK24	125,000.00	AA+	Aaa	3/19/2020	3/25/2020	131,191.41	1.95	318.96	130,504.28	137,114.84
Security Type Sub-Total		385,104.97					393,305.23	2.45	952.41	391,287.74	404,031.69
Federal Agency Bond / Note											
FHLB GLOBAL NOTE DTD 07/14/2016 1.125% 07/14/2021	3130A8QS5	200,000.00	AA+	Aaa	8/3/2016	8/3/2016	198,954.00	1.23	481.25	199,834.35	201,562.80
FREDDIE MAC NOTES DTD 08/21/2020 0.250% 08/24/2023	3137EAEV7	800,000.00	AA+	Aaa	8/19/2020	8/21/2020	799,184.00	0.28	222.23	799,214.47	800,535.20
FREDDIE MAC NOTES DTD 09/04/2020 0.250% 09/08/2023	3137EAEW5	460,000.00	AA+	Aaa	9/2/2020	9/4/2020	459,848.20	0.26	86.25	459,851.93	460,177.56
FREDDIE MAC NOTES DTD 09/04/2020 0.250% 09/08/2023	3137EAEW5	340,000.00	AA+	Aaa	9/2/2020	9/4/2020	340,062.09	0.24	63.75	340,060.56	340,131.24
FEDERAL HOME LOAN BANK NOTES DTD 04/16/2020 0.500% 04/14/2025	3130AJHU6	225,000.00	AA+	Aaa	4/15/2020	4/16/2020	223,884.00	0.60	515.63	223,986.79	226,027.13
FANNIE MAE NOTES DTD 04/24/2020 0.625% 04/22/2025	3135G03U5	225,000.00	AA+	Aaa	4/22/2020	4/24/2020	224,536.50	0.67	613.28	224,577.16	227,301.30
FREDDIE MAC NOTES DTD 07/23/2020 0.375% 07/21/2025	3137EAEU9	275,000.00	AA+	Aaa	7/21/2020	7/23/2020	273,630.50	0.48	194.79	273,683.06	274,302.60
FANNIE MAE NOTES DTD 08/27/2020 0.375% 08/25/2025	3135G05X7	225,000.00	AA+	Aaa	8/25/2020	8/27/2020	223,947.00	0.47	79.69	223,967.21	224,418.38

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note											
FEDERAL HOME LOAN BANK NOTES DTD 09/11/2020 0.375% 09/04/2025	3130AK5E2	100,000.00	AA+	Aaa	9/10/2020	9/11/2020	99,700.00	0.44	20.83	99,703.30	99,983.60
FREDDIE MAC NOTES DTD 09/25/2020 0.375% 09/23/2025	3137EAEX3	225,000.00	AA+	Aaa	9/23/2020	9/25/2020	224,322.75	0.44	14.06	224,324.98	224,298.90
Security Type Sub-Total		3,075,000.00					3,068,069.04	0.44	2,291.76	3,069,203.81	3,078,738.71
Corporate Note											
PACCAR FINANCIAL CORP NOTES DTD 11/13/2017 2.050% 11/13/2020	69371RN85	100,000.00	A+	A1	11/6/2017	11/13/2017	99,991.00	2.05	785.83	99,999.65	100,201.10
WELLS FARGO & COMPANY NOTES DTD 12/07/2015 2.550% 12/07/2020	94974BGR5	200,000.00	BBB+	A2	5/6/2016	5/10/2016	204,432.00	2.04	1,615.00	200,180.28	200,750.00
WAL-MART STORES INC CORP NOTE DTD 10/20/2017 1.900% 12/15/2020	931142EA7	200,000.00	AA	Aa2	10/11/2017	10/20/2017	199,710.00	1.95	1,118.89	199,981.12	200,687.80
IBM CORP CORP NOTES DTD 02/06/2018 2.650% 02/05/2021	44932HAG8	200,000.00	A	A2	2/1/2018	2/6/2018	199,902.00	2.67	824.44	199,988.63	201,638.40
NATIONAL RURAL UTIL COOP NOTE DTD 02/26/2018 2.900% 03/15/2021	63743HER9	115,000.00	A	A2	4/12/2018	4/19/2018	114,513.55	3.05	148.22	114,924.35	116,380.92
NATIONAL RURAL UTIL COOP NOTE DTD 02/26/2018 2.900% 03/15/2021	63743HER9	85,000.00	A	A2	2/21/2018	2/26/2018	84,905.65	2.94	109.56	84,986.01	86,020.68
PEPSICO INC CORP (CALLABLE) NOTE DTD 10/10/2017 2.000% 04/15/2021	713448DX3	125,000.00	A+	A1	10/5/2017	10/10/2017	124,975.00	2.01	1,152.78	124,996.18	126,060.63
BANK OF NEW YORK MELLON (CALLABLE) NOTES DTD 05/02/2016 2.050% 05/03/2021	06406FAB9	200,000.00	A	A1	5/17/2016	5/20/2016	200,426.00	2.00	1,685.56	200,044.06	201,753.20
AMERICAN EXPRESS CREDIT (CALLABLE) NOTES DTD 05/05/2016 2.250% 05/05/2021	0258M0EB1	100,000.00	A-	A2	5/25/2016	5/31/2016	99,814.00	2.29	912.50	99,977.68	100,976.50
PACCAR FINANCIAL CORP DTD 05/10/2018 3.100% 05/10/2021	69371RP26	70,000.00	A+	A1	5/7/2018	5/10/2018	69,981.80	3.11	849.92	69,996.33	71,210.51

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
GENERAL DYNAMICS CORP DTD 05/11/2018 3.000% 05/11/2021	369550BE7	200,000.00	A	A2	5/8/2018	5/11/2018	198,610.00	3.25	2,333.33	199,718.45	203,344.20
HERSHEY COMPANY CORP NOTES DTD 05/10/2018 3.100% 05/15/2021	427866BA5	80,000.00	A	A1	5/3/2018	5/10/2018	79,944.80	3.12	936.89	79,988.67	81,404.72
CHARLES SCHWAB CORP NOTES DTD 05/22/2018 3.250% 05/21/2021	808513AW5	125,000.00	A	A2	5/17/2018	5/22/2018	124,996.25	3.25	1,467.01	124,999.21	127,001.75
JOHN DEERE CAPITAL CORP NOTES DTD 01/06/2017 2.650% 01/06/2022	24422ETL3	180,000.00	A	A2	3/10/2017	3/15/2017	179,206.20	2.75	1,126.25	179,791.39	185,146.38
JPMORGAN CHASE & CO BONDS DTD 03/22/2019 3.207% 04/01/2023	46647PBB1	200,000.00	A-	A2	3/15/2019	3/22/2019	200,000.00	3.21	3,207.00	200,000.00	207,809.20
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 07/08/2020 0.650% 07/07/2023	14913R2D8	150,000.00	A	A3	7/6/2020	7/8/2020	149,916.00	0.67	224.79	149,922.53	150,836.25
PNC BANK NA CORP NOTES DTD 01/23/2019 3.500% 01/23/2024	693475AV7	200,000.00	A-	A3	2/12/2019	2/15/2019	201,424.00	3.34	1,322.22	200,954.86	217,678.00
MORGAN STANLEY CORP NOTES DTD 04/28/2014 3.875% 04/29/2024	61746BDQ6	200,000.00	BBB+	A2	7/19/2019	7/23/2019	211,458.00	2.59	3,272.22	208,590.21	220,041.20
AMERICAN HONDA FINANCE CORP NOTE DTD 06/27/2019 2.400% 06/27/2024	02665WCZ2	200,000.00	A-	A3	7/11/2019	7/15/2019	199,008.00	2.51	1,253.33	199,251.48	211,244.20
GOLDMAN SACHS GROUP INC BONDS DTD 07/08/2014 3.850% 07/08/2024	38141EC23	200,000.00	BBB+	A3	7/8/2019	7/11/2019	209,316.00	2.84	1,775.28	207,027.86	219,419.60
US BANCORP DTD 07/29/2019 2.400% 07/30/2024	91159HHX1	350,000.00	A+	A1	10/4/2019	10/8/2019	357,483.00	1.93	1,423.33	355,954.03	372,313.20
BB&T CORPORATION CORP BONDS DTD 07/29/2019 2.500% 08/01/2024	05531FBH5	200,000.00	A-	A3	8/1/2019	8/5/2019	200,332.00	2.46	833.33	200,254.96	212,418.80
AMAZON.COM INC CORP NOTES DTD 06/06/2018 2.800% 08/22/2024	023135AZ9	200,000.00	AA-	A2	10/25/2019	10/29/2019	207,672.00	1.96	606.67	206,144.83	216,546.80
WALT DISNEY COMPANY/THE DTD 09/06/2019 1.750% 08/30/2024	254687FK7	200,000.00	A-	A2	9/3/2019	9/6/2019	199,184.00	1.84	301.39	199,359.31	208,163.60

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
JPMORGAN CHASE & CO BONDS DTD 09/10/2014 3.875% 09/10/2024	46625HJY7	150,000.00	BBB+	A3	10/25/2019	10/29/2019	160,068.00	2.40	339.06	158,154.06	165,541.50
BANK OF NY MELLON CORP DTD 10/24/2019 2.100% 10/24/2024	06406RAL1	85,000.00	A	A1	1/21/2020	1/28/2020	85,374.00	2.00	778.46	85,320.63	89,992.90
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	50,000.00	A+	A1	5/20/2020	5/26/2020	50,488.50	1.58	120.00	50,452.23	52,160.45
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	100,000.00	A+	A1	5/20/2020	5/26/2020	100,977.00	1.58	240.00	100,904.46	104,320.90
CITIGROUP INC CORP NOTES DTD 04/27/2015 3.300% 04/27/2025	172967JP7	150,000.00	BBB+	A3	8/28/2020	9/1/2020	166,492.50	0.88	2,117.50	166,201.28	165,208.65
APPLE INC (CALLABLE) CORP NOTES DTD 05/11/2020 1.125% 05/11/2025	037833DT4	375,000.00	AA+	Aa1	5/11/2020	5/13/2020	375,753.75	1.08	1,640.63	375,694.51	383,118.75
BANK OF AMERICA CORP NOTES DTD 07/30/2015 3.875% 08/01/2025	06051GFS3	150,000.00	A-	A2	8/18/2020	8/20/2020	171,279.00	0.93	968.75	170,784.41	170,221.50
BRISTOL-MYERS SQUIBB CO CORPORATE NOTES DTD 07/15/2020 3.875% 08/15/2025	110122DC9	85,000.00	A+	A2	9/29/2020	9/30/2020	97,127.80	0.88	420.87	97,120.62	97,503.67
ABBOTT LABORATORIES CORPORATE NOTES (CAL DTD 03/22/2017 3.875% 09/15/2025	002824BM1	150,000.00	A-	A3	9/24/2020	9/28/2020	171,897.00	0.86	258.33	171,858.83	171,218.70
Security Type Sub-Total		5,375,000.00					5,496,658.80	2.15	36,169.34	5,483,523.11	5,638,334.66
Certificate of Deposit											
SWEDBANK (NEW YORK) CERT DEPOS DTD 11/17/2017 2.270% 11/16/2020	87019U6D6	400,000.00	A-1	P-1	11/16/2017	11/17/2017	400,000.00	2.27	3,430.22	400,000.00	400,984.40
ROYAL BANK OF CANADA NY CD DTD 06/08/2018 3.240% 06/07/2021	78012UEE1	350,000.00	A-1+	P-1	6/7/2018	6/8/2018	350,000.00	3.24	3,591.00	350,000.00	357,447.65

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Certificate of Deposit											
CREDIT SUISSE NEW YORK CERT DEPOS DTD 08/07/2020 0.520% 02/01/2022	22549L6F7	150,000.00	A+	A1	8/5/2020	8/7/2020	150,000.00	0.52	119.17	150,000.00	150,127.95
MUFG BANK LTD/NY CERT DEPOS DTD 02/28/2019 2.980% 02/25/2022	55379WZU3	200,000.00	A	A1	2/27/2019	2/28/2019	200,000.00	2.96	3,609.11	200,000.00	207,661.80
SUMITOMO MITSUI BANK NY CERT DEPOS DTD 07/14/2020 0.700% 07/08/2022	86565CKU2	200,000.00	A	A1	7/10/2020	7/14/2020	200,000.00	0.70	307.22	200,000.00	200,216.40
SKANDINAV ENSKILDA BANK LT CD DTD 09/03/2019 1.860% 08/26/2022	83050PDR7	200,000.00	A+	Aa2	8/29/2019	9/3/2019	200,000.00	1.85	372.00	200,000.00	205,947.20
NORDEA BANK ABP NEW YORK CERT DEPOS DTD 08/29/2019 1.850% 08/26/2022	65558TLL7	200,000.00	AA-	Aa3	8/27/2019	8/29/2019	200,000.00	1.84	370.00	200,000.00	205,909.20
DNB BANK ASA/NY LT CD DTD 12/06/2019 2.040% 12/02/2022	23341VZT1	200,000.00	AA-	Aa2	12/4/2019	12/6/2019	200,000.00	2.03	1,371.33	200,000.00	207,415.80
Security Type Sub-Total		1,900,000.00					1,900,000.00	2.11	13,170.05	1,900,000.00	1,935,710.40
Asset-Backed Security											
HAROT 2018-4 A3 DTD 11/28/2018 3.160% 01/15/2023	43815AAC6	177,089.81	AAA	Aaa	11/20/2018	11/28/2018	177,063.34	3.16	248.71	177,075.15	180,335.85
VALET 2018-2 A3 DTD 11/21/2018 3.250% 04/20/2023	92869BAD4	209,479.37	AAA	Aaa	11/15/2018	11/21/2018	209,470.57	3.25	208.02	209,474.28	213,771.52
NAROT 2018-C A3 DTD 12/12/2018 3.220% 06/15/2023	65478NAD7	185,000.00	AAA	Aaa	12/4/2018	12/12/2018	184,964.55	3.22	264.76	184,978.74	188,936.91
COPAR 2019-1 A3 DTD 05/30/2019 2.510% 11/15/2023	14042WAC4	90,000.00	AAA	Aaa	5/21/2019	5/30/2019	89,981.77	2.51	100.40	89,987.25	92,029.23
GMCAR 2019-1 A3 DTD 01/16/2019 2.970% 11/16/2023	36256XAD4	117,050.22	NR	Aaa	1/8/2019	1/16/2019	117,037.26	2.97	144.85	117,041.84	119,371.68
HDMOT 2019-A A3 DTD 06/26/2019 2.340% 02/15/2024	41284WAC4	150,000.00	NR	Aaa	6/19/2019	6/26/2019	149,988.39	2.34	156.00	149,991.56	152,706.05

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
VZOT 2020-A A1A DTD 01/29/2020 1.850% 07/22/2024	92348TAA2	110,000.00	AAA	Aaa	1/21/2020	1/29/2020	109,987.12	1.85	62.18	109,989.06	112,802.03
COMET 2019-A2 A2 DTD 09/05/2019 1.720% 08/15/2024	14041NFU0	375,000.00	AAA	NR	8/28/2019	9/5/2019	374,905.58	1.73	286.67	374,926.07	385,294.84
HAROT 2020-3 A3 DTD 09/29/2020 0.370% 10/18/2024	43813KAC6	100,000.00	AAA	NR	9/22/2020	9/29/2020	99,985.31	0.37	2.06	99,985.33	99,968.65
GMALT 2020-3 A4 DTD 09/29/2020 0.510% 10/21/2024	362569AD7	50,000.00	AAA	Aaa	9/22/2020	9/29/2020	49,993.00	0.51	1.42	49,993.01	49,994.82
Security Type Sub-Total		1,563,619.40					1,563,376.89	2.35	1,475.07	1,563,442.29	1,595,211.58
Managed Account Sub Total		21,023,724.37					21,257,696.79	1.66	98,843.69	21,244,636.98	21,808,937.44
Securities Sub-Total		\$21,023,724.37					\$21,257,696.79	1.66%	\$98,843.69	\$21,244,636.98	\$21,808,937.44
Accrued Interest											\$98,843.69
Total Investments											\$21,907,781.13

Bolded items are forward settling trades.

IMPORTANT DISCLOSURES

This material is based on information obtained from sources generally believed to be reliable and available to the public; however, PFM Asset Management LLC cannot guarantee its accuracy, completeness or suitability. This material is for general information purposes only and is not intended to provide specific advice or a specific recommendation. All statements as to what will or may happen under certain circumstances are based on assumptions, some, but not all of which, are noted in the presentation. Assumptions may or may not be proven correct as actual events occur, and results may depend on events outside of your or our control. Changes in assumptions may have a material effect on results. Past performance does not necessarily reflect and is not a guaranty of future results. The information contained in this presentation is not an offer to purchase or sell any securities.

- Market values that include accrued interest are derived from closing bid prices as of the last business day of the month as supplied by Refinitiv, Bloomberg, or Telerate. Where prices are not available from generally recognized sources, the securities are priced using a yield based matrix system to arrive at an estimated market value.
- In accordance with generally accepted accounting principles, information is presented on a trade date basis; forward settling purchases are included in the monthly balances, and forward settling sales are excluded.
- Performance is presented in accordance with the CFA Institute's Global Investment Performance Standards (GIPS). Unless otherwise noted, performance is shown gross of fees. Quarterly returns are presented on an unannualized basis. Returns for periods greater than one year are presented on an annualized basis. Past performance is not indicative of future returns.
- Bank of America/Merrill Lynch Indices provided by Bloomberg Financial Markets.
- Money market fund/cash balances are included in performance and duration computations.
- Standard & Poor's is the source of the credit ratings. Distribution of credit rating is exclusive of money market fund/LGIP holdings.
- Callable securities in the portfolio are included in the maturity distribution analysis to their stated maturity date, although, they may be called prior to maturity.
- MBS maturities are represented by expected average life.

GLOSSARY

- **ACCRUED INTEREST:** Interest that is due on a bond or other fixed income security since the last interest payment was made.
- **AGENCIES:** Federal agency securities and/or Government-sponsored enterprises.
- **AMORTIZED COST:** The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short-term securities (those with less than one year to maturity at time of issuance) is amortized on a straight line basis. Such discount or premium with respect to longer-term securities is amortized using the constant yield basis.
- **BANKERS' ACCEPTANCE:** A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill as well as the insurer.
- **COMMERCIAL PAPER:** An unsecured obligation issued by a corporation or bank to finance its short-term credit needs, such as accounts receivable and inventory.
- **CONTRIBUTION TO DURATION:** Represents each sector or maturity range's relative contribution to the overall duration of the portfolio measured as a percentage weighting. Since duration is a key measure of interest rate sensitivity, the contribution to duration measures the relative amount or contribution of that sector or maturity range to the total rate sensitivity of the portfolio.
- **EFFECTIVE DURATION:** A measure of the sensitivity of a security's price to a change in interest rates, stated in years.
- **EFFECTIVE YIELD:** The total yield an investor receives in relation to the nominal yield or coupon of a bond. Effective yield takes into account the power of compounding on investment returns, while nominal yield does not.
- **FDIC:** Federal Deposit Insurance Corporation. A federal agency that insures bank deposits to a specified amount.
- **INTEREST RATE:** Interest per year divided by principal amount and expressed as a percentage.
- **MARKET VALUE:** The value that would be received or paid for an investment in an orderly transaction between market participants at the measurement date.
- **MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.
- **NEGOTIABLE CERTIFICATES OF DEPOSIT:** A CD with a very large denomination, usually \$1 million or more, that can be traded in secondary markets.
- **PAR VALUE:** The nominal dollar face amount of a security.
- **PASS THROUGH SECURITY:** A security representing pooled debt obligations that passes income from debtors to its shareholders. The most common type is the mortgage-backed security.

GLOSSARY

- **REPURCHASE AGREEMENTS:** A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date.
- **SETTLE DATE:** The date on which the transaction is settled and monies/securities are exchanged. If the settle date of the transaction (i.e., coupon payments and maturity proceeds) occurs on a non-business day, the funds are exchanged on the next business day.
- **TRADE DATE:** The date on which the transaction occurred; however, the final consummation of the security transaction and payment has not yet taken place.
- **UNSETTLED TRADE:** A trade which has been executed; however, the final consummation of the security transaction and payment has not yet taken place.
- **U.S. TREASURY:** The department of the U.S. government that issues Treasury securities.
- **YIELD:** The rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.
- **YTM AT COST:** The yield to maturity at cost is the expected rate of return based on the original cost, the annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.
- **YTM AT MARKET:** The yield to maturity at market is the rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.

Agenda Item 9.1**DISCUSSION/ACTION ITEMS****SUBJECT: Investment Policy Review**

BACKGROUND AND STATUS:

Annually, PFM conducts a review of the CAPRI Investment Policy and, as necessary, provides recommendations for revisions.

This year, PFM is recommending certain revision to address Senate Bill 998, signed into law on September 28, 2020, and Assembly Bill 857, which took effect on January 1, 2020. Further detail is provided in the attached Memorandum and in the attached redline version of the current Investment Policy. Ms. Kaune of PFM will be available to discuss this issue further at the Meeting.

RECOMMENDATION:

Approve proposed revisions to CAPRI Investment Policy.

FISCAL IMPACT:

None.

REFERENCE MATERIALS ATTACHED:

- Memo from Ms. Alison Kaune, PFM re: Investment Policy Review
- CAPRI Investment Policy as amended on November 22, 2019 with proposed revision



October 26, 2020

Memorandum

To: Matthew Duarte, Executive Director
CAPRI Board of Directors
CAPRI

From: Allison Kaune, Senior Client Representative
PFM Asset Management LLC

Re: Investment Policy Review

We completed our annual review of CAPRI's Investment Policy (the "Policy"). The Policy is in compliance with the sections of the California Government Code (the "Code") that govern the investment of public funds. This year, we are presenting proposed changes to the Policy to address recent Code changes. These proposed modifications are described in more detail below and in the attached redlined copy of the Policy.

Senate Bill 998

On September 28, 2020, Governor Gavin Newsom signed into law Senate Bill 998 (Moorlach) – Local Government Investments ("SB 998"). SB 998, which is set to take effect on January 1, 2021 and shall be in effect until January 1, 2026, made a number of amendments to certain sections of the Code which govern the investment of public funds, including:

- Allowing investment in securities issued or backed by the U.S. government that could result in zero or negative interest accrual if held to maturity, in the event of, and for the duration of, a period of negative market interest rates;
- Establishing a 10% issuer limit on commercial paper and corporate notes for all agencies, other than a county or a city and county;
- Allowing local agencies that have more than \$100 million of investment assets under management to invest up to 40% in commercial paper (existing limit is 25% for all agencies, other than a county or a city and county); and
- Adding permission for federally recognized Indian tribes to invest and participate in investment JPAs.

We recommend CAPRI edit its Policy to address the first item listed above.

While we hope we won't have to buy a security that results in zero or negative interest accrual, we think it is appropriate to have the option in case it is necessary. In the attached redlined version of the Policy, we have included our suggested edits in Section VIII. Ineligible Investments.



Regarding the other three changes, CAPRI currently places a 5% issuer limit on corporate notes and commercial paper and we recommend CAPRI keep the more restrictive limit to maintain the portfolio's current level of diversification and safety; CAPRI has less than \$100 million of investment assets and so is not eligible to increase the maximum allocation of commercial paper; and the change regarding JPA participation does not require a change to CAPRI's Policy.

Assembly Bill 857

Assembly Bill No. 857, which took effect on January 1, 2020, provides for the establishment of public banks by local agencies, subject to approval by the Department of Business Oversight (DBO) and Federal Deposit Insurance Corporation (FDIC). As a part of this bill, subsection (r) was added to Code section 53601, which permits local agencies to invest in the commercial paper, debt securities, or other obligations of such public banks. At this time, we are not aware of any such public banks in existence.

We do not recommend that CAPRI add this investment type as a permitted investment to its Policy at this time. We will continue to monitor any ongoing developments in this area, and if, at a later date, we feel it would be prudent for CAPRI to add obligations of these public banks to its listing of permitted investment instruments, we will make a formal recommendation at that time.

However, the addition of subsection (r) to Code 53601 impacted the language in Code Section 53601 (q), *Shares of beneficial interest issued by a joint powers authority*, an investment type currently allowed by CAPRI's Policy, and we recommend CAPRI edit its Policy to address this change, as shown in the attached redlined version of the Policy.

Please let us know if you have any questions and if you'd like to discuss our review further.

Thank you.

EXHIBIT D

**California Association for Park and Recreation Indemnity
Investment Policy
Amended/Approved November 22, 2019**

I. Introduction

The purpose of this document is to identify various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities.

The investment policies and practices of California Association for Park and Recreation Indemnity ("the Authority") are based on state law and prudent money management. All funds will be invested in accordance with the Authority's Investment Policy, and California Government Code Sections 53601, 53601.1, 53601.5, 53635 and 53635.5. If the Authority issues bonds in the future, the investment of bond proceeds will be further restricted by the provisions of relevant bond documents.

II. Scope

It is intended that this policy cover all funds (except retirement funds) and investment activities under the direction of the Authority.

III. Prudence

The standard of prudence to be used by investment officials shall be the "prudent investor" standard and shall be applied in the context of managing an overall portfolio.

When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

IV. Objectives

The primary objectives, in priority order, of the investment activities of the Authority shall be:

- 1) Safety. Safety of principal is the foremost objective of the investment program. Investments of the Authority shall be undertaken in a manner that seeks to ensure preservation of capital in the portfolio.
- 2) Liquidity. The investment portfolio of the Authority will remain sufficiently liquid to enable the Authority to meet its cash flow requirements.
- 3) Return on Investment. The investment portfolio of the Authority shall be designed with the objective of attaining a market rate of return on its investments consistent with the constraints imposed by its safety objective and cash flow considerations.

V. Delegation of Authority

The management responsibility for the investment program is hereby delegated to the Treasurer who shall monitor and review all investments for consistency with this investment policy. No person may engage in an investment transaction except as provided under the limits of this policy. The Authority may delegate its investment decision making and execution authority to an investment advisor. The advisor shall follow the policy and such other written instructions as are provided.

VI. Ethics and Conflict of Interest

Officers and employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

VII. Authorized Financial Dealers and Institutions

The Treasurer will maintain a list of approved financial institutions authorized to provide investment services to the Authority in the State of California. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). A determination should be made to insure that all approved Broker/dealer firms, and individuals covering the public agency, are reputable and trustworthy. In addition, the broker/dealer firms should have the ability to meet all of their financial obligations in dealing with the Authority. The firms, and individuals covering the agency, should be knowledgeable and experienced in public agency investing and the investment products involved. No public deposit shall be made except in a qualified public depository as established by the established state laws. All financial institutions and broker/dealers who desire to conduct investment transactions with the Authority must supply the Treasurer with the following: audited financial statements, proof of NASD certification, trading resolution, proof of State of California registration, completed broker/dealer questionnaire, certification of having read the Authority's investment policy and depository contracts. An annual review of the financial condition and registrations of qualified bidders will be conducted by the Treasurer. A current audited financial statement is required to be on file for each financial institution and broker/dealer in which the Authority invests.

If the Authority utilizes an investment advisor to conduct investment transactions on the Authority's behalf, the investment advisor may use its own list of approved broker/dealers and financial institutions for investment purposes. The investment advisor's approved list must be made available to the Authority upon request.

VIII. Ineligible Investments

Any security type or structure not specifically approved by this policy is hereby specifically prohibited. Security types which are thereby prohibited include, but are not limited to,

1. Range notes, dual index notes, inverse floaters, leveraged or deleveraged floating-rate notes, or any other complex variable-rate or structured note.
2. Interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest accrual if held to maturity.

Notwithstanding the prohibition in paragraph 2, the Authority may invest in securities issued by, or backed by, the United States government that could result in zero- or negative-interest accrual if held to maturity, in the event of, and for the duration of, a period of negative market interest rates. The Authority may hold these instruments until their maturity dates.

IX. Permitted Investment Instruments

1. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest.
2. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
3. Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state, which are rated in a rating category of "A," its equivalent, or better by at least one of the nationally recognized statistical-rating organizations (NRSROs). The purchase of such obligations will be restricted to a maximum of 30% of the Authority's investment portfolio.
4. Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California. Obligations are required to be rated in a rating category of "A," its equivalent or better by at least one of the NRSROs. The purchase of such obligations will be restricted to a maximum of 30% of the Authority's investment portfolio.
5. Bonds, notes, warrants, or other evidences of indebtedness of a local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency. Obligations are required to be rated in a rating category of "A," its equivalent, or better by at least one NRSRO. The purchase of such obligations will be restricted to a maximum of 30% of the Authority's investment portfolio.
6. Repurchase Agreements used solely as short-term investments not to exceed 30 days.

The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities, as described in IX. 1 and 2, will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to the Authority's custodian bank versus payment or be handled under a tri-party repurchase agreement. The total of all collateral for each Repurchase Agreement must equal or exceed, on the basis of market value plus accrued interest, 102 percent of the total dollar value of the money invested by the Authority for the term of the investment. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day. For any Repurchase Agreement with a term of more than one day, the value of the underlying securities must be reviewed on a regular basis.

Market value must be calculated each time there is a substitution of collateral.

The Authority or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to Repurchase Agreement.

The Authority may enter into Repurchase Agreements with (1) primary dealers in U.S. Government securities who are eligible to transact business with, and who report to, the Federal Reserve Bank of New York, and (2) California and non-California banking institutions having assets in excess of \$1 billion and in the highest short-term rating category as provided by a NRSRO.

The Authority will have specific written agreements with each firm with which it enters into Repurchase Agreements.

Reverse repurchase agreements will not be allowed.

7. Banker's Acceptances otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank, the short-term paper of which is rated in the highest category by a NRSRO.

Purchases of Banker's Acceptances may not exceed 180 days maturity or 40 percent of the Authority's investment portfolio.

8. Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a NRSRO. The entity that issues the commercial paper shall meet all of the conditions in either paragraph (A) or paragraph (B) below:

A. The entity meets the following criteria:

- (1) Is organized and operating within the United States as a general corporation.
- (2) Has total assets in excess of five hundred million dollars (\$500,000,000).
- (3) Has debt other than commercial paper, if any, that is rated in a rating category of "A," its equivalent, or better by a NRSRO.

B. The entity meets the following criteria:

- (1) Is organized within the United States as a special purpose corporation, trust, or limited liability company.

- (2) Has program-wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond.
- (3) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a NRSRO.

Purchases of eligible commercial paper may not exceed 270 days maturity.

Deleted: and not represent more than 10 percent of the outstanding paper of an issuing corporation.

Purchases of commercial paper may not exceed 25 percent of the Authority's investment portfolio. The Authority may invest no more than 5 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

- 9. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the U.S. or any state and operating within the United States. Medium-term corporate notes shall be rated in a rating category "A" or its equivalent or better by a NRSRO.

Purchase of medium-term corporate notes may not exceed 30 percent of the Authority's investment portfolio. The Authority may invest no more than 5 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

- 10. FDIC insured or fully collateralized time certificates of deposit in financial institutions located in California.
- 11. Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association, a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank; provided that the senior debt obligations of the issuing institution are rated in a rating category of "A" (long-term) or A-1 (short-term), the equivalent, or better by a NRSRO.

Purchase of negotiable certificates of deposit may not exceed 30 percent of the Authority's investment portfolio.

- 12. State of California's Local Agency Investment Fund.

The LAIF portfolio should be reviewed periodically.

- 13. Insured savings account or money market account

- 14. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940, investing in the securities and obligations authorized by sections (a) to (k), inclusive, and subdivisions (m) to (q), inclusive, of Government Code section 53601. To be eligible for investment pursuant to this subdivision these companies shall either: (1) attain the highest ranking letter or numerical rating provided by not less than two NRSROs or (2) have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years experience investing in securities and obligations authorized by Government Code Section 53601 and with assets under management in excess of \$500,000,000.

The purchase price of shares shall not exceed 15 percent of the investment portfolio of the Authority.

15. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (r), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria: (1) The adviser is registered or exempt from registration with the Securities and Exchange Commission. (2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive. (3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

Deleted: q

16. United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of "AA," its equivalent or better by an NRSRO.

The purchase of securities authorized by this subdivision shall not exceed 30 percent of the of the investment portfolio of the Authority.

17. A mortgage pass through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass through certificate, or consumer receivable-backed bond. Securities eligible for investment under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and have a maximum remaining maturity of five years or less.

The purchase of securities authorized by this subdivision shall not exceed 20 percent of the investment portfolio of the Authority.

Credit criteria listed in this section refers to the credit of the issuing organization at the time the security is purchased.

X. Maximum Maturity

Investment maturities shall be based on a review of cash flow forecasts. Maturities will be scheduled so as to permit the Authority to meet all projected obligations.

The maximum maturity will be no more than five years from purchase date to maturity date, unless otherwise noted above in section IX.

XI. Diversification

The Authority will diversify its investments by security type and institution. With the exception of U.S. Treasury securities, U.S. Agency Obligations and authorized pools (e.g. LAIF), no more than 5% of the Authority's total investment portfolio will be invested in a single issuer. The diversification requirements of the portfolio apply at time of purchase.

XII. Reporting Requirements

Monthly investment reports shall be submitted to the Authority's Treasurer. The reports shall include, at a minimum, the following information for individual investment:

- Description of investment instrument
- Interest rate or yield to maturity
- Purchase date
- Maturity date
- Purchase price
- Par value
- Current market value for securities with maturity greater than 12 months
- Discount or premium, if any
- Accrued interest paid at purchase, if any
- Accrued interest to date
- Portfolio average maturity
- Overall portfolio yield based on cost

In addition, the Treasurer shall submit a monthly report of transactions to the legislative body.

XIII. Safekeeping and Custody

The assets of the Authority shall be secured through third-party custody and safekeeping procedures. Bearer instruments shall be held only through third-party institutions. Collateralized securities such as repurchase agreements shall be purchased using the delivery vs. payment procedure.

Agenda Item 9.2**DISCUSSION/ACTION ITEMS****SUBJECT: Approval of 2019/2020 WC Final Payroll**

BACKGROUND AND STATUS:

As the Board will recall, CAPRI members' Workers' Compensation premiums are based upon their actual payroll paid. Since a member's actual payroll cannot be precisely determined until the end of the fiscal year, CAPRI requests estimated payroll figures from the members every Spring and, using these estimated payroll figures, we project the cost of coverage for the upcoming fiscal year.

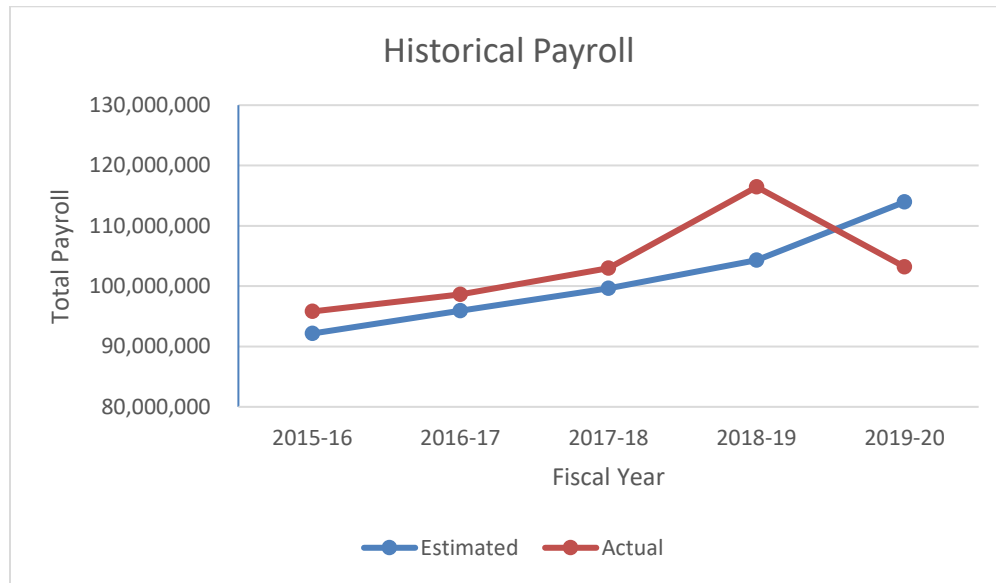
At the end of that fiscal year, the members provide their "Final Payroll Reports" to CAPRI along with supporting records. Once the final payroll reports are received, the individual members' contributions are recalculated to determine their "true" or actual premiums. Thereafter, members will either receive a refund if they over-projected their payroll for the year or they will be invoiced if they under-projected their payroll.

CAPRI has received the Final Payroll Reports needed to calculate the actual Workers' Compensation premium for 2019-2020. These final payroll numbers were then provided to PRISM in October as they conduct a similar process with each of their members.

The figures received generally align with Staff's assumptions that COVID-19 impacted the staffing levels of our agencies during the 4th Quarter of FY19-20 and the majority of our members had over-projected their 19-20 payroll. As a pool, this will result in a net loss of approximately \$377,500, which falls within Staff's estimation of 5-10% or approximately \$250,000- \$500,000 in refunds.

Staff has prepared a comparison of Historical Payroll to illustrate the impact COVID-19 has had on payroll for 2019-2020. Note from the graph below that, prior to FY19-20, both estimated and actual payroll had been on an upward trend with actual consistently coming in above estimated.

	Estimated	Actual
2015-16	92,154,829	95,808,975
2016-17	95,920,861	98,633,150
2017-18	99,656,478	103,001,500
2018-19	104,305,616	116,449,811
2019-20	113,961,079	103,209,675



Per the Board’s direction at the previous meeting, Staff has completed the calculation of final premiums and processed final payroll invoices and refunds. Staff also reached out to members, whose final payroll figures had a significant change from the initial estimates, to provide an update regarding the premium adjustments.

RECOMMENDATION:

Approve Final Payroll for FY19-20 and ratify Staff’s calculation of final premiums.

FISCAL IMPACT:

Based upon final payroll figures provided by the members, CAPRI will be refunding approximately \$377,500 of premium because of member’s over-projection of payroll for 2019-2020.

REFERENCE MATERIALS ATTACHED:

- 2019-2020 WC Final Payroll Spreadsheet

CAPRI
Workers' Compensation
Year-End Adjustment for Actual Payroll
June 30, 2019

	7720	8810	9410	9420	TOTAL	7720 4.29	8810 0.41	9410 2.26	9420 9.73	Total	MOD Factor	Total	Paid by District	Difference	% Change
Ambrose	\$0.00	\$122,035.26	\$239,077.26	\$148,248.45	509,360.97	-	500	5,403	14,425	20,328	108%	21,954	22,473	(519)	-2.3%
Arcade Creek	\$0.00	\$174,790.80	\$76,381.06	\$46,233.38	297,405.24	-	717	1,726	4,499	6,942	183%	12,704	19,308	(6,604)	-34.2%
Arden Manor	\$0.00	\$109,377.14	\$66,315.47	\$69,959.58	245,652.19	-	448	1,499	6,807	8,754	105%	9,192	15,533	(6,341)	-40.8%
Arden Park	\$0.00	\$195,069.96	\$105,666.89	\$130,266.78	431,003.63	-	800	2,388	12,675	15,863	83%	13,166	12,764	402	3.1%
Auburn Area	\$0.00	\$346,300.00	\$1,059,700.00	\$960,400.00	2,366,400.00	-	1,420	23,949	93,447	118,816	114%	55,965	55,965	(0)	0.0%
Bear Mountain	\$0.00	\$148,988.57	\$44,384.35	\$118,482.37	311,855.29	-	611	1,003	11,528	13,142	111%	14,588	11,790	2,798	23.7%
Bear River	\$0.00	\$25,249.29	\$7,900.76	\$8,143.79	41,293.84	-	104	179	792	1,075	100%	1,200	1,200	-	0.0%
Beaumont-Cherry Valley	\$0.00	\$315,782.20	\$200,640.21	\$339,641.78	856,064.19	-	1,295	4,534	33,047	38,876	77%	29,935	28,248	1,687	6.0%
Belvedere-Tiburon	\$0.00	\$53,132.00	\$701,027.00	\$0.00	754,159.00	-	218	15,843	-	16,061	97%	15,579	11,217	4,362	38.9%
Boulder Creek	\$0.00	\$102,600.00	\$120,000.00	\$29,000.00	251,600.00	-	421	2,712	2,822	5,955	86%	5,121	5,385	(264)	-4.9%
Buttonwillow	\$0.00	\$5,571.00	\$52,220.22	\$39,041.61	96,832.83	-	23	1,180	3,799	5,002	86%	4,302	4,360	(58)	-1.3%
Carmichael	\$0.00	\$412,163.93	\$780,509.70	\$440,559.21	1,633,232.84	-	1,690	17,640	42,866	62,196	127%	78,989	89,582	(10,593)	-11.8%
CAPRI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-	-	-	-	-	-	-	-	-	-
Central Plumas	\$0.00	\$48,031.00	\$160,772.00	\$10,400.00	219,203.00	-	197	3,633	1,012	4,842	86%	4,164	4,165	(1)	0.0%
Coalinga-Huron	\$0.00	\$252,777.44	\$247,745.90	\$324,698.84	825,222.18	-	1,036	5,599	31,593	38,228	75%	28,671	29,765	(1,094)	-3.7%
Conejo	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-	-	-	-	-	0%	85,656	85,686	(30)	0.0%
Cordova	\$0.00	\$566,225.00	\$1,955,162.00	\$1,534,653.00	4,056,040.00	-	2,322	44,187	149,322	195,831	84%	164,498	173,460	(8,962)	-5.2%
Desert	\$0.00	\$847,315.17	\$3,994,569.16	\$313,550.00	5,155,434.33	-	3,474	90,277	30,508	124,259	131%	162,779	184,614	(21,835)	-11.8%
Dunsmuir	\$0.00	\$0.00	\$3,600.00	\$36,815.00	40,415.00	-	-	81	3,582	3,663	86%	3,150	3,849	(699)	-18.2%
Durham	\$0.00	\$42,222.17	\$243,960.78	\$148,392.34	434,575.29	-	173	5,514	14,439	20,126	80%	16,101	18,368	(2,267)	-12.3%
Fair Oaks	\$0.00	\$233,827.84	\$730,062.67	\$352,509.83	1,316,400.34	-	959	16,499	34,299	51,757	184%	95,233	103,585	(8,352)	-8.1%
Fulton-El Camino	\$260,802.54	\$307,977.97	\$535,670.20	\$377,735.01	1,482,185.72	11,188	1,263	12,106	36,754	61,311	144%	88,288	97,157	(8,869)	-9.1%
Greater Vallejo	\$0.00	\$408,449.00	\$2,379,906.00	\$1,555,374.00	4,343,729.00	-	1,675	53,786	151,338	206,799	80%	165,439	131,755	33,684	25.6%
Hayward Area	\$401,524.00	\$1,159,986.00	\$6,963,620.00	\$6,511,438.00	15,036,568.00	17,225	4,756	157,378	633,563	812,922	110%	894,214	925,619	(31,405)	-3.4%
Hesperia	\$175,636.00	\$391,476.00	\$753,371.00	\$595,233.00	1,915,716.00	7,535	1,605	17,026	57,916	84,082	108%	90,809	126,548	(35,739)	-28.2%
Highlands	\$0.00	\$297,212.00	\$933,076.00	\$154,572.00	1,384,860.00	-	1,219	21,088	15,040	37,347	75%	28,010	43,792	(15,782)	-36.0%
Isla Vista	\$22,886.50	\$429,240.97	\$25,763.56	\$309,328.18	787,219.21	982	1,760	582	30,098	33,422	97%	32,419	42,903	(10,484)	-24.4%
Jurupa Area	\$0.00	\$124,012.59	\$585,255.07	\$488,537.96	1,197,805.62	-	508	13,227	47,535	61,270	112%	68,622	65,866	2,756	4.2%
La Selva Beach	\$0.00	\$37,603.96	\$0.00	\$0.00	37,603.96	-	154	-	154	100%	1,200	1,200	-	0.0%	
Ladera	\$0.00	\$0.00	\$350,153.54	\$0.00	350,153.54	-	-	7,913	-	7,913	86%	6,805	7,084	(279)	-3.9%
Lake Cuyamaca	\$0.00	\$72,289.00	\$75,938.00	\$260,638.00	408,865.00	-	296	1,716	25,360	27,372	106%	29,014	27,032	1,982	7.3%
Livermore Area	\$595,675.27	\$2,845,754.45	\$4,542,675.65	\$2,482,435.45	10,466,540.82	25,554	11,668	102,664	241,541	381,427	111%	423,384	492,511	(69,127)	-14.0%
McFarland	\$0.00	\$89,432.00	\$183,101.00	\$247,347.00	519,880.00	-	367	4,138	24,067	28,572	120%	34,286	37,044	(2,758)	-7.4%
Mendocino Coast (District)	\$0.00	\$71,615.86	\$319,438.29	\$0.00	391,054.15	-	294	7,219	-	7,513	139%	10,443	13,027	(2,584)	-19.8%
Mendocino Coast (CV Starr)	\$0.00	\$172,805.69	\$519,573.50	\$137,892.84	830,272.03	-	709	11,742	13,417	25,868	139%	35,957	42,093	(6,136)	-14.6%
Mission Oaks	\$0.00	\$312,093.00	\$851,366.00	\$356,180.00	1,519,639.00	-	1,280	19,241	34,656	55,177	95%	52,418	57,593	(5,175)	-9.0%
Monte Rio	\$0.00	\$23,457.00	\$26,197.00	\$80,535.16	130,189.16	-	96	592	7,836	8,524	111%	9,462	7,297	2,165	29.7%
Mt. Shasta Recreation & Park	\$0.00	\$83,232.00	\$130,754.00	\$133,747.00	347,733.00	-	341	2,955	13,014	16,310	78%	12,722	13,155	(433)	-3.3%
North Highlands Recreation and Park Dist	\$0.00	\$99,665.67	\$366,666.93	\$419,014.98	885,347.58	-	409	8,287	40,770	49,466	75%	37,100	35,845	1,255	3.5%
North of the River	\$0.00	\$870,341.00	\$2,861,543.00	\$1,901,417.00	5,633,301.00	-	3,568	64,671	185,000	253,247	144%	364,676	378,304	(13,628)	-3.6%
Orangevale	\$0.00	\$342,958.00	\$290,546.00	\$401,331.00	1,034,835.00	-	1,406	6,566	39,050	47,022	85%	39,969	37,252	2,717	7.3%
Paradise	\$0.00	\$361,010.79	\$132,252.96	\$261,382.96	754,646.71	-	1,480	2,989	25,433	29,902	108%	32,294	45,672	(13,378)	-29.3%
Pleasant Hill	\$0.00	\$560,346.00	\$2,082,128.00	\$1,212,839.00	3,855,313.00	-	2,297	47,056	118,009	167,362	75%	125,522	138,206	(12,684)	-9.2%
Pleasant Valley	\$63,799.43	\$608,640.74	\$835,320.79	\$1,235,192.85	2,742,953.81	2,737	2,495	18,878	120,184	144,294	145%	209,226	239,969	(30,743)	-12.8%
Rancho Simi	\$275,004.06	\$1,386,954.42	\$3,080,158.57	\$4,178,044.24	8,920,161.29	11,798	5,687	69,612	406,524	493,621	127%	626,899	709,665	(82,766)	-11.7%
Rio Linda-Elverta	\$0.00	\$113,055.41	\$250,477.97	\$192,016.08	555,549.46	-	464	5,661	18,683	24,808	102%	25,304	25,169	135	0.5%
Russian River	\$60,689.58	\$28,853.58	\$0.00	\$44,572.66	134,115.82	2,604	118	-	4,337	7,059	110%	7,765	6,607	1,158	17.5%
Shafter	\$0.00	\$69,390.71	\$171,168.58	\$79,550.77	320,110.06	-	285	3,868	7,740	11,893	95%	11,298	15,420	(4,122)	-26.7%
Silverado-Modjeska Recreation & Park Dist	\$0.00	\$0.00	\$52,073.66	\$0.00	52,073.66	-	-	1,177	-	1,177	100%	1,177	2,502	(1,325)	-53.0%
Soledad Mission	\$0.00	\$155,539.20	\$0.00	\$85,891.86	241,431.06	-	638	-	8,357	8,995	106%	9,535	8,237	1,298	15.8%
Southgate	\$0.00	\$866,904.65	\$1,806,348.48	\$1,764,116.90	4,437,370.03	-	3,554	40,823	171,649	216,026	115%	248,430	243,541	4,889	2.0%
Strawberry	\$0.00	\$0.00	\$484,827.15	\$137,599.15	622,426.30	-	-	10,957	13,388	24,345	76%	18,502	28,276	(9,774)	-34.6%
Sunrise	\$0.00	\$321,358.00	\$2,032,579.00	\$1,442,356.00	3,796,293.00	-	1,318	45,936	140,341	187,595	75%	140,696	163,930	(23,234)	-14.2%
Tehachapi Valley	\$0.00	\$82,389.63	\$213,666.21	\$237,647.02	533,702.86	-	338	4,829	23,123	28,290	116%	32,816	30,289	2,527	8.3%
Truckee-Donner	\$0.00	\$884,014.28	\$1,632,623.04	\$1,291,990.00	3,808,627.32	-	3,624	36,897	125,711	166,232	120%	199,478	180,372	19,106	10.6%
Tuolumne	\$0.00	\$105,237.24	\$3,000.00	\$42,343.00	150,580.24	-	431	68	4,120	4,619	86%	3,972	4,746	(774)	-16.3%
Valley Wide	\$0.00	\$914,392.73	\$2,116,823.50	\$487,600.29	3,518,816.52	-	3,749	47,840	47,444	99,033	85%	84,178	86,080	(1,902)	-2.2%
Wasco	\$0.00	\$110,556.48	\$34,739.82	\$134,809.54	280,105.84	-	453	785	13,117	14,355	93%	13,350	10,820	2,530	23.4%
Weed	\$0.00	\$40,214.15	\$18,283.13	\$89,104.43	147,601.71	-	165	413	8,670	9,248	86%	7,953	15,924	(7,971)	-50.1%
Western Gateway	\$0.00	\$12,107.00	\$0.00	\$48,493.00	60,600.00	-	50	-	4,718	4,768	86%	4,100	3,732	368	9.9%
West Side Recreation and Park District	\$0.00	\$132,280.61	\$669,639.50	\$332,315.28	1,134,235.39	-	542	15,134	32,334	48,010	98%	47,050	51,667	(4,617)	-8.9%
TOTAL	\$1,856,017.38	\$18,894,306.55	\$49,100,420.53	\$34,761,617.57	\$104,612,362.03	\$79,623.00	\$77,470.00	\$1,109,666.00	\$3,382,307.00	\$4,649,066.00		\$5,097,729.00	\$5,475,218.33	(377,489)	

To Stmt Net Assets
To Stmt Net Assets
Net adjustment to income

Due from Districts
Due to Districts

85,819
(463,308)
(377,489)

Agenda Item 9.3**DISCUSSION/ACTION ITEMS****SUBJECT: WC 2020-2021 Premium Review**

BACKGROUND AND STATUS:

As noted in the prior item, the ongoing impacts of COVID-19 continue to affect the staffing levels of CAPRI member agencies and will likely result in a greater incongruence between payroll estimates and actual payroll at the end of Fiscal Year 2020-2021.

At the previous meeting, the Board authorized Staff to apply a 10% reduction of all Q2 invoices in anticipation of premium overcollection. This was a combined reduction of \$137,770.40 for the entire membership in Q2. This item is again before the Board for consideration of a similar reduction for Q3 invoices to be mailed in December 2020.

In the event this reduction is too aggressive, the amount will still be recouped from members when premiums are trued up in Fall 2021. In the event this reduction accurately captures the payroll trends for 2020-2021, CAPRI will have assisted the membership in the short term and avoided the long-term cash flow planning for large refunds in Fall 2021. Staff would similarly propose the Board evaluate the need for further reduction for Q4 at a future Board Meeting.

RECOMMENDATION:

Authorize Staff to revise and reduce invoiced premiums for Q3 by 10% to reflect anticipated payroll reductions in member agencies.

FISCAL IMPACT:

A 10% reduction in the invoiced amounts for Q3 will result in a drop in receivables of approximately \$137,770.40 for the quarter. These funds would be recovered at the close of the fiscal year should staffing levels normalize.

REFERENCE MATERIALS ATTACHED:

- None

Agenda Item 9.4**DISCUSSION/ACTION ITEMS****SUBJECT: CAPRI WC Volunteer Reporting Policy**

BACKGROUND AND STATUS:

As the Board knows, volunteers are an asset to our members and play a large role in our members' ability to provide services to the community. Over the past few months, Staff has conducted research regarding volunteers as it relates to coverage and to the collection of member's estimated and actual payroll for the Workers' Compensation Program. The goal was to determine whether volunteers are covered under Workers' Compensation and if they should be included in the total payroll reported, so that we are consistent in the handling of volunteers.

From a risk management standpoint, treating volunteers as employees for workers' compensation purposes enables members to control costs associated with injuries. Labor Code Section 3363.5 provides that a person who performs voluntary service for a public agency can be deemed to be an employee for workers' compensation purposes if the District has adopted a resolution that states the same.

To that end, Staff will be requesting a copy of each District's Board approved resolution. If no resolution exists, Staff will direct the Districts to adopt a resolution and forward a copy for our records. Staff will provide a resolution template to the members with the proper language to ensure that Workers' Compensation coverage is afforded to volunteers going forward. The draft letter is attached for the Board's review.

Additionally, Staff has prepared a Volunteer Toolkit including several important templates such as a Volunteer Checklist and Volunteer Waivers & Releases. The Toolkit is a resource to assist our members in working responsibly with their volunteers. The Toolkit is also attached for the Board's review.

Concerning payroll reporting, Staff has found that 21 members include volunteers in estimated and final payroll. Additionally, in looking at how other JPAs address this, we noted that in many cases there is no additional cost for volunteers as a benefit to the membership. Golden State Risk Management Authority (GSRMA), Alliance of Schools for Cooperative Insurance Programs (ASCIP), and our excess insurer PRISM include volunteers

under Workers' Compensation at no cost, subject to the member's Board approval. Staff believes this is a benefit CAPRI should offer to our members in the Workers' Compensation Program.

Staff proposes establishing a volunteer policy to clarify how members should handle volunteers for coverage and payroll reporting purposes. The policy would state that volunteers are covered under Workers' Compensation with no additional premium contribution, provided that the member's governing board has adopted a resolution under Labor Code Section 3363.5, and should not be included in any payroll reporting. This policy would create consistency of coverage, control potential Workers' Compensation claim costs, and maintain equity among members when calculating Workers' Compensation Program premium.

Staff will be prepared to further discuss the proposed Volunteer Policy and Toolkit at the Meeting.

RECOMMENDATION:

Authorize Staff to formalize a policy regarding volunteers for purposes of workers' compensation payroll reporting.

FISCAL IMPACT:

Based on the final payroll collected for FY 2019-2020, omitting volunteers would reduce the membership's total payroll by approximately 1.6%, which equates to roughly \$36,350 reduction in Workers' Compensation coverage premium collected. This reduction results in a more equitable premium allocation going forward.

REFERENCE MATERIALS ATTACHED:

- Volunteer Letter
- Volunteer Toolkit



1075 Creekside Ridge Drive
Suite 240
Roseville, CA 95678

Phone: (916) 722-5550
Fax: (916) 722-5715
Website: capri-jpa.org

December 1, 2020

To: CAPRI Workers' Compensation Program Members

From: Matthew Duarte, Executive Director

RE: Workers' Compensation Coverage for Volunteers

Volunteers play a large role in the services provided by CAPRI's members. With respect to your District, you may or may not be aware that volunteers can be covered as employees under Workers' Compensation. In fact, from a risk management standpoint, it is preferable to treat volunteers as employees through Workers' Compensation. Without such a resolution in place, a volunteer's only remedy is to file a claim and pursue damages through the civil court. This can quickly become costly because there is no cap on the damages that may be claimed. Under Workers' Compensation, a volunteer would be entitled to the same benefits as paid staff, which are more finite. To ensure that volunteers are properly covered, each District must adopt a resolution.

Section 3363.5 of the California Labor Code provides that "...a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a Resolution by the Governing Body of the agency so declaring, be deemed to be an employee for workers' compensation purposes." Thus, if such a resolution is adopted and the volunteer is injured while performing duties for your District, the volunteer is entitled to receive workers' compensation benefits and their exclusive remedy for recovery against the District is through the Workers' Compensation system. However, these volunteers may be covered for workers' compensation benefits *only if* a Resolution to that effect is adopted by your District pursuant to Labor Code § 3363.5.

It is likely that your District has already adopted a volunteer resolution; possibly dating back to the 80s. If so, please forward a copy to CAPRI at your earliest convenience. However, if the District does not have such a resolution, an editable Microsoft Word version of the sample Resolution is attached hereto. When using the sample Resolution provided, please do not make any changes other than the areas highlighted in yellow.

To ensure accurate and timely implementation of your Resolution, **please forward your approved Resolution to CAPRI's Administrative Analyst, Monica Breck, at mbreck@capri-jpa.org by March 1, 2021.**

Lastly, we would like to emphasize that volunteers are an asset! It is important to work with volunteers in a responsible way that minimizes the District's exposure to liability. To assist in that effort, a **Volunteer Toolkit are included** with this writing. The Toolkit includes several important templates such as a Volunteer Checklist and Volunteer Waivers & Releases. If you would like more in-depth information regarding volunteer policies and procedures, please reach out to the CAPRI team.

Sincerely,



Matthew Duarte
Executive Director

enclosures



California Association for
Park & Recreation Indemnity



CAPRI

VOLUNTEER TOOLKIT



1075 Creekside Ridge Drive
Suite 240
Roseville, CA 95678

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17	P.C. 11165.7(G) -- MANDATORY REPORTER TRAINING
18	SB 1343 SEXUAL HARASSMENT PREVENTION TRAINING

RESOLUTION No. **XXXXXXXXXX**

RESOLUTION OF THE GOVERNING BODY OF
THE **AGENCY NAME,**
DECLARING THAT GOVERNING BODY MEMBERS AND VOLUNTEERS SHALL
BE DEEMED TO BE EMPLOYEES OF THE DISTRICT FOR THE PURPOSE OF
PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID CERTAIN
INDIVIDUALS WHILE PROVIDING THEIR SERVICES

WHEREAS, the **Agency Name** utilizes the services of Governing Body Members and Volunteers; and

WHEREAS, Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a resolution by the Governing Body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 of said Labor Code while performing such services; and

WHEREAS, the Governing Body wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a checkmark in the box to the left of the descriptions:

- All Members of the Governing Body of the **Agency Name** as presently or hereafter constituted and/or
- All persons performing voluntary services without pay other than meals, transportation, lodging or reimbursement for incidental expenses
- Individuals on Work-study programs
- Interns
- Other Volunteers
- _____
[designate]

NOW, THEREFORE, BE IT RESOLVED, that such persons coming within the categories specified above, including the duly elected or appointed replacements of any Governing Body Member and other designated individuals be deemed to be employees of the **Agency Name** for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Body Members and other designated individuals will not be considered an employee of the **Agency Name** for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such Governing Body Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the **Agency Name**.

PASSED, APPROVED AND ADOPTED this **DATE** by the following vote:

AYES:
NOES:
ABSENT:

Name, Chairperson
Agency Name

APPROVED AS TO FORM:



Volunteer Checklist

- Volunteer Application Signed

- Volunteer Waiver & Release Signed

- Background Check Questionnaire Completed & Fingerprinting Cleared (if necessary)

- Mandatory Reporter Training Completed (if necessary)

- Sexual Harassment Prevention Training Completed (If necessary)

- Job Training

Volunteer Application

INSTRUCTIONS: Thank you for your interest in volunteering for the (District Name). Please fill out the following form completely and legibly.

Name: _____

Address (No. & Street) Apt. # City State Zip: _____

Phone Number: _____ Email Address: _____

Have you previously submitted a volunteer application? Yes: ___ No: ___ If yes, please give date: _____

Do you have any friends or relatives employed with the District? Yes: ___ No: ___

If yes, state name(s) and relationship: _____ Phone Number: _____

In case of emergency, please notify: _____ Phone Number: _____

Name Relationship to you: _____

Volunteer Interest

What program would like to volunteer for? _____

Use the space below to fully describe any job-related skills, knowledge, licenses or special training you possess which relate to the position you would like to volunteer: _____

Have you ever volunteered before? Yes: ___ No: ___

If yes, please indicate with what agency or organization and in what capacity: _____

Availability

When are you able to volunteer? Days: _____ Evenings: _____ Weekends: _____

How many hours per week/month are you able to volunteer? _____

If you are interested in volunteering to be a coach, can you make a commitment to volunteer for at least one season? Yes: ___ No: ___ N/A: _____

Additional Information

Indicate any languages in which you are fluent: _____

Are you at least 18 years of age? Yes: _____ No: _____

Do you have a reliable means of transportation? Yes: _____ No: _____

How did you find out about our volunteer program? _____

References

List three references not related to you who have knowledge of your work and/or volunteer performance within the last three years.

Name: _____ Phone Number: _____

Name: _____ Phone Number: _____

Name: _____ Phone Number: _____

Please Read and Initial Each Paragraph and Sign and Date Below

_____ I understand that as a volunteer for the District, I am not now and will not become an employee of the District and have no employment rights of any kind. I understand that my status as a volunteer may be terminated at any time for any reason.

_____ I hereby authorize the District to contact my references regarding my suitability for a volunteer position.

_____ I understand that my position as a volunteer is contingent upon the completion of a background questionnaire as required by Section 11105.3 of the Penal Code.

_____ In the event of an emergency, volunteers are covered under the (District Name's) Workers' Compensation Plan Policy.

I have read, understand, and fully agree to the above:

Applicant's Signature: _____ Date: _____

(A) RECREATION AND PARK DISTRICT

(B) _____ (C) _____
Activity Date(s) Activity Name

VOLUNTEER AGREEMENT, WAIVER, AND RELEASE
INFORMATION TO PARTICIPANT REGARDING RISK OF INJURY

Any and all recreation activities involve the risk of injury. You, as the participant, must be aware of the particular risks involved in the activity you have signed up for. For example, a softball player runs the risk of breaking an arm while diving for a ball, or being struck by a thrown ball; a calligraphy student may fall and break a bone while walking out of class or to their chair; an excursion participant may trip and fall from the bus or the bus itself may be involved in an accident. In any event, participants must understand that all activities have the potential for an injury and {District Name} is not liable. Participants must understand and agree that they take part in the activity at their own risk.

In consideration for being permitted by the District to participate in the above-referenced activity, I hereby waive, release, and discharge any and all claims for damages for personal injury, death, or property damage which I may have, or which may hereafter accrue to me, as a result of participation in said activity. This release is intended to discharge in advance the District (including its officers, employees, volunteers, and agents) from any and all liability arising out of or connected in any way with my participation in said activity, even though that liability may arise out of active or passive negligence or carelessness on the part of the persons or entities mentioned above.

It is further agreed that this waiver, release and assumption of risk is to be binding on my heirs, administrators, executors, and assigns and that I shall indemnify and hold the District (including its officers, employees, volunteers, and agents) free and harmless from any loss, liability, damage, cost, or expense which may arise out of or connected in any way with my participation in said activity.

Additionally, I fully understand that my participation in the above-referenced activity exposes me to the risk of personal injury, death, communicable diseases, illnesses, viruses, and/or property damage. I hereby acknowledge that I am voluntarily participating in this activity and agree to assume any such risks.

VIRTUAL CLASS RELEASE: I hereby warrant and agree, that the conditions of my environment are safe, free from obstructions, and are suitable for participation in the above-referenced activity. I further understand and agree that any material downloaded, viewed or otherwise obtained through my participation in said activity is done at my own risk and the District is not responsible for any loss, alteration, corruption or other damage to my personal property, including computers, networks and other property used as part of my participation. (D)

PHOTOGRAPHIC RELEASE: I understand that photographs may be taken during this activity and hereby grant the District permission to use any such photo(s) for advertising or in promotional materials. (E)

PARENTAL/GUARDIAN CONSENT: (to be completed and signed by parent/guardian if Participant is under 18 years of age.) (F)

I hereby consent that my son/daughter, (G) _____, participate as a volunteer in the above-referenced activity, and I hereby execute the above Agreement, Waiver, and Release on his/her behalf. I state that said minor is physically able to participate in said activity. I hereby agree to indemnify and hold the District (including its officers, employees, volunteers, and agents) free and harmless from any loss, liability, damage, cost, or expense which may arise out of or connected in any way with said minor's participation in said activity.

I HAVE CAREFULLY READ THIS AGREEMENT, WAIVER, AND RELEASE AND FULLY UNDERSTAND ITS CONTENTS. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT BETWEEN MYSELF AND THE ABOVE DISTRICT AND I SIGN IT OF MY FREE WILL.

<u>(H)</u>	<u>(I)</u>
Signature	Name (Printed) Date

NOTES

- A Your District Name goes here
- B Describe the time-frame (*e.g.*, July 1, 2020 through August 31, 2020).
- C Accurately name the activity (*e.g.*, Children's Tumbling or Beginning Swimming).
- D This paragraph should be used when the activity involves virtual recreation classes/activities. It can be omitted when this form is used for other purposes.
- E This paragraph should be used to permit use of the user's likeness in promotional materials.
- F This paragraph needs to be on the form only if the form may be used for minors. It can be omitted on an adult-only waiver and release form.
- G If the participant is a minor, his or her name should go here.
- H The participant or parent/guardian should sign and print his or her name here.
- I The form should always be dated.

Volunteer Background Confidential Questionnaire

Applicant's First, Middle, and Last Name (PRINT): _____
Applicant's ID Number (California ID or Drivers' License): _____
Applicant's Social Security Number: _____
Applicant's Address: _____
Applicant's Phone Number: _____
Applicant's Email: _____

Section 5164 of the Public Resources Code of the State of California prohibits the (District Name) from hiring a person for employment at, or hiring a volunteer to perform services at, any of its parks, playgrounds or recreational centers used for recreational purposes in a position having supervisory or disciplinary authority over any minor, if the person has been convicted of certain crimes under the California Penal Code. Section 5164 also authorizes the (District Name) to screen any such prospective employee or volunteer for his or her criminal background. In light of your interest in being hired by the (District Name) for employment at, or being hired as a volunteer to perform services at, any of its parks, playgrounds or recreational centers used for recreational purposes, in a position having supervisory or disciplinary authority over any minor, and in order to give effect to Section 5164 of the Public Resources Code of the State of California, please answer the following supplemental questions:

Please Note: Having a conviction record may not necessarily prevent volunteering. The nature of the conviction and length of time which has passed since the conviction will be taken into consideration, along with the current (District Name's) policies.

1. Have you ever been convicted of violation or attempted violation of any of the statutes specified in Public Resources Code Section 5164 (copy attached), including conviction for violation or attempted violation of an offense committed outside the State of California, if the offense would have been a crime as defined in the statutes referred to if committed in California? This question does not refer to a misdemeanor conviction as defined in Part B of Attachment A (copy attached), unless you have three or more misdemeanor convictions, a felony conviction, or were incarcerated for any of those crimes listed within the preceding ten (10) year period.

Yes: _____ No: _____

If your answer is **Yes**, please describe the crime(s) of which you were convicted, the date upon which you were convicted and the jurisdiction in which you were convicted:

-
2. Are you willing to be fingerprinted in order that (District Name) may screen you for a criminal background? Yes: _____ No: _____
 3. Without in any way limiting the foregoing, have you ever been convicted of any crime involving an assault with intent to commit a felony, any crime against a person involving sexual assault, any crime against public decency and good morals, disorderly conduct, annoying or molesting a child under age 18, kidnapping, robbery or carjacking? Yes: _____ No: _____

If your answer is **Yes**, please describe the crime(s) of which you were convicted, the date upon which you were convicted and the jurisdiction in which you were convicted:

4. Are you currently released on bail or on your own recognizance for any crime?

Yes: _____ No: _____

If your answer is **Yes**, please describe the crime(s) of which you were convicted, the date upon which you were convicted and the jurisdiction in which you were convicted:

Background Investigation Agreement and Declaration

I authorize (District Name) to perform a thorough background investigation on all matters related to my suitability for volunteering including online background checking, and to run a fingerprint background check to screen for criminal background. I authorize investigation of all statements contained in my volunteer application. I authorize (District Name) to secure information about my background and experience with former employers, current employers, education institutions and any relevant agencies, and authorize those parties to provide information to (District Name) concerning my background and experience. I release (District Name) and all parties providing information to (District Name) about my background and experience from any liability whatsoever arising therefrom.

I, (Print Name) _____, in seeking to be a volunteer by the (District Name) to perform services at, any park, playground or recreational center used by the (District Name) for recreational purposes, in a position having supervisory or disciplinary authority over any minor, hereby declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at:

(City) _____, California on (Date) _____

I acknowledge and agree that should any of my answers to the foregoing questions be subsequently determined to be false and not true, the (District Name) can immediately terminate my employment by it or cease allowing me to perform voluntary services, without notice.

I hereby agree to indemnify and hold harmless the Desert Recreation District, its directors, agents and employees, from any and all claims, causes of action, suits, actions, damages, losses or liability arising out of termination of my employment and/or termination of my volunteer services rendered to the Desert Recreation District which may occur should any of my answers to the foregoing questions be subsequently determined to be false and not true and/or untrue.

Applicant's Signature: _____ Date: _____

District's Representative Signature: _____ Date: _____

ATTACHMENT A
PROHIBITED OFFENSES UNDER CALIFORNIA PENAL CODE

Part A

A recreation and park district shall not hire anyone for employment in a position with supervisory or disciplinary responsibility over minors (either for pay or as a volunteer) if the person has been convicted of any violation or attempted violations of Section 220, 261.5, 262, 273a, 273d, or 273.5 of the Penal Code, or any sex offense listed in Section 290 of the Penal Code, except for the offense specified in subdivision (d) of Section 243.4 of the Penal Code. The offenses outlined in this subsection are:

220 Assault with intent to commit mayhem, rape, sodomy, oral copulation, rape in concert with another, lascivious acts upon a child, or penetration of genitals or anus with foreign object (except assault to commit mayhem)

261 Rape

261.5 Unlawful sexual intercourse with a female under age 18

262 Rape of spouse

264.1 Rape or penetration of genital or anal openings by foreign object, etc.; acting in concert by force or use of force

266 Inveiglement or enticement of unmarried female under 18 for purposes of prostitution; aiding and abetting; procuring a female for illegal intercourse by false pretenses

266c Unlawful sexual intercourse, sexual penetration, oral copulation, or sodomy; consent procured by false or fraudulent representations with intent to create fear

266h(b) Pimping a minor

266i Pandering a minor

266j Procurement of child under age 16 for lewd or lascivious acts

267 Abduction of person under 18 for purposes of prostitution

269 Aggravated sexual assault of a child

272 Causing, encouraging, or contributing to the delinquency of persons under 18 years

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

273.d Corporal punishment or injury of a child

273.5 Corporal injury of spouse or cohabitant of opposite sex

285 Incest

286 Sodomy

286.5 Sexually assaulting an animal

287 Sodomy

288.5 Continuous sexual abuse of a child

288 Lewd or lascivious acts with child under 14

288a Unlawful oral copulation

288.2 Harmful matter sent with intent of seduction of minor (FELONY ONLY)

289 Genital or anal penetration with a foreign object

311.1 Sent or brought into state for sale or distribution; possessing, preparing, publishing, producing, developing, duplicating, or printing within state; matter depicting sexual conduct by minor.

311.2 Sending, receiving, printing, exhibiting, distributing materials depicting sexual conduct by a minor

311.3 Depicting by film, photograph, videotape, etc., sexual conduct by a person under 14

311.4 Employment of a minor to perform prohibited acts

311.10 Advertising for sale or distribution of materials depicting a person under age 18 engaging in or simulating sexual conduct

311.11 Possession or control of material depicting a person under 14 engaging in or simulating sexual conduct

314 Lewd or obscene conduct, indecent exposure, obscene exhibition

647a Engaging in or lewd or dissolute conduct in a public place or in any place open to the public

647d Loitering in or about a public toilet for the purpose of engaging in or soliciting a lewd or lascivious or unlawful act

647.6 Annoying or molesting a child under 18

This section also includes anyone committed as a mentally disordered sex offender under the Welfare and Institutions Code.

Part B

A recreation and park district shall not hire (either for pay or as a volunteer) anyone for employment in a position with supervisory or disciplinary responsibility over minors if the person has been convicted of any felony or misdemeanor specified in Chapter 3 (commencing with Section 207) of Title 8 of Part 1 of the Penal Code, Section 211 or 215 (if a deadly or dangerous weapon was used, as provided in subsection (b) of Section 12022), Section 217.1 or Section 236 of the Penal Code, any offense specified in Chapter 9 (commencing with Section 240) of Title 8 of Part 1 of the Penal Code, or any offense specified in subdivision (c) of Section 667.5 of the Penal Code within ten years of the date of the employer's request.

If the conviction for any specified felony is over ten (10) years old, then a recreation and park district shall not hire (either for pay or as a volunteer) anyone for employment in a position with supervisory or disciplinary responsibility over minors if the person has been incarcerated for the offense within ten (10) years of the date of the request.

No record of a misdemeanor conviction will be transmitted, unless the person has a total of three (3) or more misdemeanor convictions, or a combined total of three (3) or misdemeanor and felony convictions, or has been incarcerated for any violation in this section within the preceding ten (10) years.

207 – 210 (+ 12022) Kidnapping

211 (+12022) Robbery

215 (+12022) Carjacking

Section 207-210, 211 and 215 apply only if accompanied by a concurrent finding under Section 12022 that a deadly or dangerous weapon was used in the commission of the crime.

217.1 Assault on public official

236 False imprisonment

237 False imprisonment

240 Assault

241.1 Assault upon custodial officer

241.2 Assault on school property

241.3 Assault against transportation personnel or passenger

241.4 Assault on peace officer of school district

241.7 Assault against jurors

242 Battery

243.1 Battery against custodial officer in performance of duties

243.2 Battery on school property

243.3 Battery against transportation personnel or passenger

243.4 Sexual battery

243.5 Assault or battery on school property

243.6 Assault or battery on process server

243.7 Battery against jurors

244 Assault with caustic chemicals

244.5 Assault with stun gun or laser

245 Assault with deadly weapon or force likely to produce great bodily injury

244.2 Assault with deadly weapon or force likely to produce great bodily injury on
transportation personnel or passenger

245.3 Assault with deadly weapon or force likely to produce great bodily injury on custodial
officer

246 Shooting at inhabited dwelling house, occupied building or vehicle, or inhabited house, car
or camper

247 Shooting at unoccupied aircraft or motor vehicle

247.7 Discharge of laser at aircraft

667.5 Sentencing enhancements for various crimes of violence

Public Resource Code 5164

(a) (1) A county or city or city and county or special district shall not hire a person for employment, or hire a volunteer to perform services, at a county or city or city and county or special district operated park, playground, recreational center, or beach used for recreational purposes, in a position having supervisory or disciplinary authority over any minor, if that person has been convicted of any offense specified in paragraph (2).

(2) (A) Violations or attempted violations of Section 220, 261.5, 262, 273a, 273d, or 273.5 of the Penal Code, or any sex offense listed in Section 290 of the Penal Code, except for the offense specified in subdivision (d) of Section 243.4 of the Penal Code.

(B) Any felony or misdemeanor conviction specified in subparagraph (C) within 10 years of the date of the employer's request.

(C) Any felony conviction that is over 10 years old, if the subject of the request was incarcerated within 10 years of the employer's request, for a violation or attempted violation of any of the offenses specified in Chapter 3 (commencing with Section 207) of Title 8 of Part 1 of the Penal Code, Section 211 or 215 of the Penal Code, wherein it is charged and proved that the defendant personally used a deadly or dangerous weapon, as provided in subdivision (b) of Section 12022 of the Penal Code, in the commission of that offense, Section 217.1 of the Penal Code, Section 236 of the Penal Code, any of the offenses specified in Chapter 9 (commencing with Section 240) of Title 8 of Part 1 of the Penal Code, or any of the offenses specified in subdivision (c) of Section 667.5 of the Penal Code, provided that no record of a misdemeanor conviction shall be transmitted to the requester unless the subject of the request has a total of three or more misdemeanor convictions, or a combined total of three or more misdemeanor and felony convictions, for violations listed in this section within the 10-year period immediately preceding the employer's request or has been incarcerated for any of those convictions within the preceding 10 years.

(b) (1) To give effect to this section, a county or city or city and county or special district shall require each such prospective employee or volunteer to complete an application that inquires as to whether or not that individual has been convicted of any offense specified in subdivision (a). The county or city or city and county or special district shall screen, pursuant to Section 11105.3 of the Penal Code, any such prospective employee or volunteer, having supervisory or disciplinary authority over any minor, for that person's criminal background.

(2) Any local agency requests for Department of Justice records pursuant to this subdivision shall include the prospective employee's or volunteer's fingerprints, which may be taken by the local agency, and any other data specified by the Department of Justice. The request shall be made on a form approved by the Department of Justice. No fee shall be charged to the local agency for requesting the records of a prospective volunteer pursuant to this subdivision.

VOLUNTEER TIME SHEET

Volunteer Name (PRINT): _____

Enter the total number of volunteer hours worked for each date. Total all hours worked.

Date	Facility	Assignment	Start Time	End Time	Total Hours

Volunteer Signature: _____ Date: _____

Supervisor's Name (PRINT) _____

Supervisor Signature: _____ Date: _____



Mandated Reporter Online Training

A free online training program for mandated reporters of child abuse and neglect

The goal of the Mandated Reporter Online Training is for mandated reporters to have the appropriate knowledge and understanding of their responsibilities under the Child Abuse and Neglect Reporting Law (CANRA), Penal Code (PC sections 11164-11174.3). By having the training available online it is more easily accessible and available to training participants, assuring consistent quality. It also allows employers and agencies, including county child welfare, law enforcement, schools, child care centers and health care, to have staff trained without the time and expense involved with classroom training. The Office of Child Abuse Prevention has funded this program since its inception. The current grant cycle began in July of 2016 and will conclude in June of 2017.

The Child Abuse Mandated Reporter Training Project was produced by the California Institute on Human Services at Sonoma State University (CIHS-SSU). The training, launched in March 2003, benefitted from an advisory group of individuals representing social workers, criminal justice, health care, education, clergy, and child care providers. The valuable contribution of this group is the basis for the current online training.

Since February 2010, the Chadwick Center for Children, part of the Rady Children's Hospital in San Diego, has been responsible for the implementation and maintenance of this project. The free online training and final test is available 24 hours a day, 7 days a week. Trainings are self-paced and can be completed in multiple sessions. A certificate of completion can be printed after the final test has been passed in order to meet the requirements of some employers. From July 2015 through March 2016 nearly 233,423 training tests were taken. A three month follow-up survey conducted in 2015/2016 showed that 85% of those who received the online training were "Satisfied" or "Very Satisfied."

A general training module is available in English and Spanish. Profession-specific modules are also available for more in-depth information, and may be taken after completion of the general training module. These include modules that have been developed specifically for:

- » Social Workers and Mental Health Professionals
- » Law Enforcement
- » Medical Personnel
- » Child Care Providers
- » Educators
- » Clergy

The general training may also be taken by volunteers. While volunteers are not mandated to report under the CANRA, knowledge of the law is important if their volunteer work involves working with children (PC section 11165.7(b)).

In this 2016-2017 year of funding The Chadwick Center will continue to maintain the Mandated Reporter website and market it to targeted users, including law enforcement, clergy, social workers, and medical professionals. Work will also begin to update the existing training for daycare providers.

For more information, please visit the training at: www.mandatedreporter.ca.com.





SEXUAL HARASSMENT PREVENTION TRAINING

FAQ

SB 1343 requires that all employers of 5 or more employees provide 1 hour of sexual harassment and abusive conduct prevention training to non-managerial employees and 2 hours of sexual harassment and abusive conduct prevention training to managerial employees once every two years. Existing law requires the training to include harassment based on gender identity, gender expression, and sexual orientation and to include practical examples of such harassment and to be provided by trainers or educators with knowledge and expertise in those areas. The bill also requires the Department to produce and post both training courses to its website, which employers may utilize instead of hiring a trainer.

An employer is required to train its California-based employees so long as it employs 5 or more employees anywhere, even if they do not work at the same location and even if not all of them work or reside in California.

Under the DFEH's regulations, the definition of "employee" for training purposes includes full-time, part-time, and temporary employees, unpaid interns, unpaid volunteers, and persons providing services pursuant to a contract (independent contractors).

Click the below toolkit for additional tools, including a sample sexual harassment and abusive conduct prevention training:

SEXUAL HARASSMENT AND ABUSIVE CONDUCT PREVENTION TOOLKIT

■ **NEW UPDATE: By what date must employees be trained?**

All employees must now receive training by January 1, 2021¹. Employers of 50 or more employees have an existing and ongoing obligation to train new supervisory employees within six months of assuming their supervisory position. Beginning January 1, 2021, new supervisory employees in workplaces of 5 or more employees must be trained within six months of assuming their supervisory position, and new non-supervisory employees must be trained within six months of hire. Employees must be retrained once every two years.

■ **NEW UPDATE: What if the employees are seasonal, temporary or otherwise work for less than six months?** Employers are required to provide training within 30 calendar days after the hire date or within 100 hours worked, whichever occurs first, beginning January 1, 2021². Employers are not required to train employees who are employed for fewer than 30 calendar days and work for fewer than 100 hours.

- In the case of a temporary employee employed by a temporary services employer, as defined in Section 201.3 of the Labor Code, to perform services for clients, the training shall be provided by the temporary services employer, not the client.

■ **NEW UPDATE: When will the Department of Fair Employment and Housing's online training courses be available?** SB 1343 requires that DFEH make online training courses available on the prevention of sexual harassment and abusive conduct in the workplace. DFEH expects to have all trainings available by July 30, 2020. In the interim period, DFEH is offering a **SEXUAL HARASSMENT AND ABUSIVE CONDUCT PREVENTION TOOLKIT**, including a sample sexual harassment and abusive conduct prevention training. Employers may use the training in conjunction with an eligible trainer to provide sexual harassment and abusive conduct prevention training.

¹SB 778 signed by Governor Newsom on 8/30/19 amended existing law to change deadline of harassment training until 1/1/2021.

²SB 530 signed by Governor Newsom on 10/10/19 amended existing law to change deadline to 1/1/2021 for seasonal and temporary worker harassment training compliance.

- **Do employers need to train independent contractors, volunteers, and unpaid interns?**
 No, it is not required that employers train independent contractors, volunteers, and unpaid interns. However, in determining whether an employer meets the threshold of having 5 employees and being subject to the harassment prevention training requirement, independent contractors, volunteers, and unpaid interns must be counted. For example, if an employer has 2 full time employees and 6 unpaid interns, the employer would meet the training threshold requirement and would need to ensure the two full time employees receive training only.
- **What if a supervisor or non-supervisory employee has received the training in compliance with 12950.1 within the prior two years either from a current, a prior or alternate, or a joint employer? Do they have to retake the training again?**
 No. Supervisors do not need to retake the training. But their new, alternate, or joint employer must give them the employer’s antiharassment policy, require them to read it, and require them to acknowledge receipt of it. This must happen within six months of the supervisor assuming their new supervisory position (or within six months of the creation of a new business or the expansion of a business that was previously not required to provide training). However, the current employer is responsible for ensuring that all supervisors have fulfilled the training requirement contained in [12950.1](#), which may require verifying compliance from the prior, alternate, or joint employer.

For non-supervisory employees who received harassment prevention training in compliance with 12950.1 from another employer within the prior two years, they must be required to read and to acknowledge receipt of the current employer’s antiharassment policy. Again, the current employer will be responsible for ensuring that all non-supervisory staff have fulfilled the training requirement contained in 12950.1, which may require verifying compliance from the prior, alternate, or joint employer.
- **Does DFEH have a list of approved outside training providers, or can DFEH recommend or approve an outside training provider for my company to use?**
 DFEH does not approve training providers. DFEH cannot offer recommendations or approvals for other training providers.
- **I believe I may be eligible to become a trainer; how can I verify this?**
 There is currently no certification requirement for qualified trainers, and DFEH is unable to provide guidance as to whether one meets the qualifications of a trainer. If you believe you meet the requirements found in [2 CCR 11024](#), you may choose to offer your services as a trainer.
- **Does a trainer who is also an employee need to receive sexual harassment prevention training in order for their employer to be compliant?**
 No. An individual who is a qualified training provider according to the regulations (and who does provide the training) does not need to participate in a separate sexual harassment prevention training for their employer to be in compliance with the training requirements.
- **What documentation is required for those who have completed the training?**
 The law requires employers to keep documentation of the training it has provided its employees for a minimum of two years, including but not limited to the names of the supervisory employees trained, the date of training, the sign in sheet, a copy of all certificates of attendance or completion issued, the type of training, a copy of all written or recorded materials that comprise the training, and the name of the training provider. Examples of tracking individual compliance include a certificate and/or a sign-in sheet that includes a verification that trainees completed the training. Documentation of the training should not be sent to DFEH but should be kept on the employer’s premises.
- **If I have employees located outside of California, are they required to be trained?**
 No. While employees located inside and outside of California are counted in determining whether employers are covered under the Act, employees located outside of California are not themselves required to be trained.

■ **What is meant by “effective interactive training”?**

Effective interactive training can include any of the following:

- Classroom training that is in-person, trainer-instruction, whose content is created by a trainer and provided to a supervisor by a trainer, in a setting removed from the supervisor’s daily duties.
- E-learning that is individualized, interactive, computer-based training created by a trainer and an instructional designer that includes a link or directions on how to contact a trainer who shall be available to answer questions and to provide guidance within two business days after the question is asked.
 - The trainer shall maintain all written questions received, and all written responses or guidance provided, for a period of two years after the date of the response.
- Webinar training that’s an internet-based seminar whose content is created and taught by a trainer and transmitted over the internet or intranet in real time.
- Other “effective interactive training” and education includes the use of audio, video or computer technology in conjunction with classroom, webinar and/or e-learning training.

■ **If an employer utilizes a webinar as their effective interactive training, can the training be watched in a large group at the same time?**

Yes, but it is up to the employer to comply with the documentation procedures, including the following:

- An employer utilizing a webinar for its supervisors or non-supervisory employees must document and demonstrate that each supervisor and non-supervisory employee who was not physically present in the same room as the trainer nonetheless attended the entire training and actively participated with the training’s interactive content, discussion questions, hypothetical scenarios, polls, quizzes or tests, and activities.
- The webinar must provide an opportunity for all employees to ask questions, to have them answered and otherwise to seek guidance and assistance.
- For a period of two years after the date of the webinar, the employer shall maintain a copy of the webinar, all written materials used by the trainer and all written questions submitted during the webinar, and document all written responses or guidance the trainer provided during the webinar.

■ **In addition to the training (and corresponding process and procedures), is there anything else required?**

Yes, every employer must post a poster developed by the Department regarding **TRANSGENDER RIGHTS** and **SEXUAL HARASSMENT** in a prominent and accessible location in the workplace.

■ **Does the employer have to pay for sexual harassment and abusive conduct prevention training? Does the employer have to provide paid time for such training?**

California law specifies that, “An employer.... shall provide” sexual harassment and abusive conduct prevention training. Gov. Code 12950.1(a)-(b). The Department is authorized to seek a court order that “the employer” has not complied with this requirement. Gov. Code 12950.1(f). This language makes clear that it is the employer’s – not the employee’s – responsibility to provide the required training, including any costs that may be incurred. This language also makes clear that employees may not be required to take such training during their personal time; the training must be “provided” by the employer as part of an individual’s employment.

Agenda Item 9.5

DISCUSSION/ACTION ITEMS

SUBJECT: Resolution No. 4-2020 – WC Coverage to Volunteers

BACKGROUND AND STATUS:

As the Board knows, CAPRI purchases excess workers' compensation insurance from PRISM. PRISM's EWC Memorandum of Coverage provides as follows:

II. VOLUNTEERS: This Memorandum shall apply to loss on account of bodily injury or occupational disease sustained by volunteer workers while acting within the scope of their duties for or on behalf of the Covered Party, provided that, prior to the occurrence, *the Governing Board of the Covered Party has adopted a resolution as provided in Division 4, Part 1, Chapter 2, Article 2, of the California Labor Code, declaring such volunteer workers to be employees of the Covered Party for purposes of the Workers' Compensation Act;* or provided that such volunteer workers are statutorily deemed by the Workers' Compensation Act to be employees for the purposes of workers' compensation.

Staff has diligently searched CAPRI records, but has been unable to locate any such resolution. In an abundance of caution, Staff has prepared a resolution confirming its treatment of volunteers to ensure excess coverage is available in the event of a claim.

RECOMMENDATION:

Adopt Resolution No. 4-2020 declaring volunteer workers of CAPRI and its member agencies to be employees for purposes of the Workers' Compensation Act.

FISCAL IMPACT:

CAPRI has historically extended coverage to volunteers. Adoption of this resolution will ensure that any potential excess claims are covered by PRISM. Verifying excess coverage will result in savings when and if CAPRI members suffer an excess claim for one of its volunteers.

REFERENCE MATERIALS ATTACHED:

- Resolution No. 4-2020



**California Association for
Park & Recreation Indemnity**

RESOLUTION NO. 4-2020

**RESOLUTION OF THE GOVERNING BODY OF
CALIFORNIA ASSOCIATION FOR PARK AND RECREATION INDEMNITY,
DECLARING THAT GOVERNING BODY MEMBERS AND VOLUNTEERS
SHALL BE DEEMED TO BE EMPLOYEES FOR THE PURPOSE OF
PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID
CERTAIN INDIVIDUALS WHILE PROVIDING THEIR SERVICES**

WHEREAS, the Board of Directors of California Association for Park & Recreation Indemnity (CAPRI) hereby adopts the following resolution.

WHEREAS, CAPRI and its Member Districts utilize the services of Governing Body Members and Volunteers; and

WHEREAS, Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a resolution by the Governing Body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 of said Labor Code while performing such services; and

WHEREAS, the Governing Body wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a checkmark in the box to the left of the descriptions:

- All Members of the Governing Body of CAPRI and/or its Member Districts as presently or hereafter constituted and/or
- All persons performing voluntary services without pay other than meals, transportation, lodging or reimbursement for incidental expenses
- Individuals on Work-study programs
- Interns
- Other Volunteers
- _____
[designate]

NOW, THEREFORE, BE IT RESOLVED, that such persons coming within the categories specified above, including the duly elected or appointed replacements of any Governing Body Member and other designated individuals be deemed to be employees of CAPRI and/or its Member Districts for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Body Members and other

designated individuals will not be considered an employee of CAPRI and/or its Member Districts for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such Governing Body Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of CAPRI and/or its Member Districts.

PASSED AND ADOPTED, by the Board of Directors of California Association for Park and Recreation Indemnity, Joint Powers Authority of State of California on November 20, 2020.

Dean Wetter
President of the Board of Directors,
California Association for Park and Recreation Indemnity

Agenda Item 9.6**DISCUSSION/ACTION ITEMS****SUBJECT: Law Enforcement Liability Review**

BACKGROUND AND STATUS:

Pursuant to California Public Resources Code § 5786.17(c), recreation and park districts have the authority to:

“To protect property and to preserve the peace at recreation facilities and other property owned or managed by a district, the board of directors may confer on designated uniformed district employees the power to issue citations for misdemeanor and infraction violations of state law, city or county ordinances, or district rules, regulations, or ordinances when the violation is committed within a recreation facility and in the presence of the employee issuing the citation. District employees shall issue citations pursuant to Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.”

Three CAPRI Member Districts have exercised this legal right to establish law enforcement programs to serve and protect their communities. As the Board knows, over the past several years CAPRI has defended several of these districts in multiple lawsuits relating to the use of armed law enforcement officials. Defense of these claims has come at a significant cost to the pool. Additionally, recent civil unrest in Summer 2020 has resulted in greater attention to police practices by the public at large. Finally, recently a CAPRI member district’s park ranger was attacked and injured in the line of duty which resulted in a workers’ compensation claim. For all these reasons, Staff has been investigating how to improve this program and best protect these members and the pool.

History of the Coverage:

As part of this review, it is necessary to understand the history behind this coverage under the liability program. Until 2012, there was an exclusion in the CAPRI General Liability Memorandum of Coverage that provided as follows:

“Any bodily injury, personal injury, advertising injury or property damage sustained by any person arising out of or resulting from the use of a firearm by any agent or employee of a member district or other covered party exercising law enforcement authority.”

In May 2012, the CAPRI Board of Directors revised the Memorandum of Coverage to eliminate this exclusion. This revision was made for the express purpose of extending coverage to the three (3) member districts that employed armed law enforcement officers. The revision allowed these districts to consolidate their liability coverage under CAPRI rather than purchasing stand-alone policies on their own accord.

The three districts were charged an additional \$2,750 each for this coverage. This surcharge amount has largely remained flat since 2012 with only modest increases topping out at \$4,000 for the current fiscal year.

Furthermore, the coverage extended under the CAPRI MOC was significantly broader than any other policy on the market. For claims related to the exercise of their law enforcement authority, the three member districts have had \$0 deductible with \$25M in limits.

In researching the history of this matter, Staff discovered the insurance offered to the law enforcement members for police professional liability coverage have been well under market pricing while also providing for considerably better terms. Indeed, for a policy with a \$10,000 deductible and \$5M limits, Fulton-El Camino alone was quoted an annual premium of \$9,090.13 in 2011. See attached quote from Alliant of May 2011. This was three (3) times the price offered by CAPRI with 1/5 of the limits.

Actuarial Findings:

As a threshold issue, Staff has endeavored to bring both its pricing and scope of coverage up to industry standards. To accomplish this task, Staff has been in contact with CAPRI’s actuary, Mike Harrington of Bickmore Actuarial, to evaluate appropriate premiums, deductibles, and sub-limits based upon loss history and other risk factors. Attached hereto please find the Bickmore Actuarial Report of November 13, 2020.

In reviewing the report, it is apparent that the premiums previously charged for police liability coverage for the combined nineteen (19) full-time equivalent (“FTEs”) have been insufficient. However, it does appear that there are several viable options for consideration that will allow CAPRI to continue with this offering. Staff will be prepared to further discuss this report in detail at the meeting.

In considering the above history and the attached report from Bickmore, Staff first requests that the Board provide direction as to what deductible(s) are appropriate and then what sublimits of coverage are appropriate for this particular coverage. These determinations will then inform the premium cost. Staff also notes that a sliding deductible, as CAPRI utilizes for employment cases, may be something to consider in order to encourage the districts to continue to use best practices for risk management.

Based upon this direction, Staff would then propose to develop an endorsement to the 2021-2022 General Liability Memorandum of Coverage that identifies the deductible(s) for related claims as well as a sublimit for law enforcement liability claims. These changes should allow the members to continue receiving extensive coverage at competitive prices, while also more equitably accounting for the additional risk to the pool related to employing armed law enforcement officials.

Additional Insurance Protection for the Pool at Large:

Finally, Staff has been in contact with Mr. Doug Wozniak regarding other options CAPRI may take to further protect and insulate the pool from this growing exposure. This may include, but is not limited to, the purchase of coverage on top of CAPRI's self-insured layer (\$0-\$1M) as a supplement to excess coverage. Staff and Mr. Wozniak will be prepared to further discuss their findings including possible quotes at the Meeting.

RECOMMENDATION:

- 1) Authorize Staff to replace the police liability premium flat rate with a model that charges per FTE.
- 2) Maintain the \$25,000,000 limit for claims related to the members' use of armed law enforcement so as to prevent potential gaps in coverage.
- 3) Determine which deductible(s) amount and confidence level(s) are appropriate for the members requiring police liability coverage.
- 4) Provide direction to Staff as to whether to further pursue police liability coverage on top of CAPRI's self-insured layer.

FISCAL IMPACT:

Adoption of changes to the police liability rates will result in additional premium collection for the pool. Adoption of a deductible for claims related to armed law enforcement officials will result in cost savings to the pool dependent upon the number of claims and level of deductible selected by the Board.

REFERENCE MATERIALS ATTACHED:

- Quotation for 2011-2012 Police Professional Liability Insurance from Alliant Insurance
- Excerpt of minutes from May 2012 CAPRI Board of Directors Meeting
- Law Enforcement Surcharge Analysis - Bickmore Actuarial, November 13, 2020



**Fulton El Camino Recreation and Park District
POLICE PROFESSIONAL LIABILITY
SUMMARY OF INSURANCE**

NAMED INSURED: Fulton El Camino Recreation and Park District

POLICY TERM: May 1, 2011 to May 1, 2012

COVERAGE: Police Professional Liability

INSURANCE CARRIER: Darwin Select Insurance Company

AM BEST RATING: A (Excellent); Financial Size Category VIII (\$2 Billion or Greater)

STANDARD & POOR'S: Not Rated as of 5/18/11

CALIFORNIA STATUS: Non-Admitted

COVERAGE LIMITS: \$ 5,000,000 Each Claimant
\$ 5,000,000 Each Law Enforcement Occurrence
\$ 5,000,000 Aggregate, all Claims for all Covered Law Enforcement Occurrences

DEDUCTIBLE: \$ 10,000 Each and Every Claim

ENDORSEMENTS AND EXCLUSIONS: (Including but not limited to)

- Additional Insureds Endorsement
- Line of Death Coverage Endorsement – Family Expenses and Crisis Management Expenses
- Spouses and Domestic Partners Endorsement
- Minimum Earned Premium Endorsement
- Service of Suit Endorsement
- Punitive & Exemplary Damages Coverage Endorsement (Occurrence)

PREMIUM: \$8,608.00 Annual Premium
\$ 196.00 Policy Fee
\$ 264.12 Surplus Lines Tax
\$ 22.01 Stamping Fee
\$9,090.13 TOTAL ANNUAL PREMIUM



CLAIMS REPORTING: Allied World Assurance Company Holdings, Ltd
Attention: Claims Department
9 Farm Springs Road
Farmington, CT 06032
PH: 860-284-1300 / Email: noticeofloss@awac.com

Copy to:
Alliant Insurance Services, Inc.
Attention: Robert Frey
100 Pine Street, 11th Floor
San Francisco, CA 94111
PH: 415-403-1445 / Email: rfrey@alliantinsurance.com

BROKER: **ALLIANT INSURANCE SERVICES, INC.**
1301 DOVE ST, 2ND FLOOR, NEWPORT BEACH, CA 92660
949.756.0271 ♦ FAX 949.756.2713
LICENSE NO: OC36861

Doug Wozniak
Senior Vice President

Heidi Newell
Account Manager – Team Leader

Eve Wildhagen
Account Representative

Coverage outlined in this Summary is subject to the terms and conditions set forth in the policy. Please refer to Policy for specific terms, conditions and exclusions

Alliant embraces a policy of transparency with respect to its compensation from insurance transactions. Details on our compensation policy, including the types of income that Alliant may earn on a placement, are available on our website at www.alliantinsurance.com. For a copy of our policy or for any inquiries regarding compensation issues pertaining to your account you may also contact us at: Alliant Insurance Services, Attention: General Counsel, 701 B Street, 6th Floor, San Diego, CA 92101.

**Analyzing insurers' over-all performance and financial strength is a task that requires specialized skills and in-depth technical understanding of all aspects of insurance company finances and operations.*

Insurance brokerages such as Alliant Insurance typically rely upon rating agencies for this type of market analysis. Both A.M. Best and Standard and Poor's have been industry leaders in this area for many decades, utilizing a combination of quantitative and qualitative analysis of the information available in formulating their ratings.

A.M. Best has an extensive database of nearly 6,000 Life/Health, Property Casualty and International companies. You can visit them at www.ambest.com. For additional information regarding insurer financial strength ratings visit Standard and Poor's website at www.standardandpoors.com

and the revenue from our tenant lease of \$16,709.00. Based on the insurance market, CAPRI is currently budgeting for a 3% increase in overall insurance costs. Ultimately, these numbers will change as firm insurance estimates are finalized.

12. **ADMINISTRATIVE MATTERS**

C. Liability Memorandum of Coverage Revisions – Firearms Exclusion

The memorandum of Coverage (MOC) revisions were made to eliminate the Firearms exclusion. There was also discussion on charging the 3 districts that purchase Police Liability an additional premium under CAPRI's coverage so that those districts could eliminate their Police Liability coverage and receive coverage through CAPRI with \$25 million in limits. It is staff's recommendation that CAPRI charge each district that have armed Park Rangers an additional \$2,750 to purchase police liability coverage from CAPRI. Under CAPRI's policy, the 3 districts that currently purchase police liability coverage would have a \$0 deductible with \$25,000,000 in limits compared to what they currently purchase.

Michael Christian made a motion to approve Memorandum of Coverage as per the revisions for 2012 – 2013 and to approve the \$2,750 charge to those districts that have armed Park Rangers. Stephen Fraher seconded the motion. Motion passes. Larry Peterson and Terri Leimbach abstained.

D. 2012 – 2013 Workers' Compensation Premium Allocation Formula

Last year, the Board approved changes to the WC formula. The Board approved having a floor and ceiling cap of 75% and 225% for the experience modification factors. Also, the Board proposed to limit the year to year swings by placing a cap on how much the Experience Modification Factors can go up and down each year. The Board approved swings from year to year to be capped at 20%. For example, if the Ex Mod for a particular District was 150% in 2010 – 2011, then in 2011 – 2012 the Ex Mod cannot go above 170% or below 130%.

It is recommended that CAPRI modify the formula slightly for 2012-2013 in that staff should remove the cap for decreases in Experience Modifications. Districts should be able to benefit from the lower experience modification factors. By NOT allowing the lower experience modification factors, CAPRI becomes less competitive. Board members would also like to discuss further possible discount for being members of both programs and other discounts at a future meeting.

Michael Christian made a motion to approve staff's recommendation of removing the cap for decreases in Experience Modification. Sam Goepf seconded the motion. Motion passes unanimously.



Actuarial Review of the Self-Insured Liability Program

Law Enforcement Surcharge Analysis

Presented to
California Association for Park and Recreation Indemnity

November 13, 2020 - DRAFT

SCOPE AND SIGNATURE

California Association for Park and Recreation Indemnity (“CAPRI”) has engaged Bickmore Actuarial to conduct an actuarial review of the liability law enforcement surcharges.

The specific objective of the study is:

- Develop law enforcement surcharges for limits of \$1 million, \$5 million, \$10 million, and \$25 million.
- For each of these limits, deductible options of \$0, \$25,000, and \$50,000 will be provided.

These surcharges were calculated based on industry cost estimates and limit factors. To evaluate the surcharges, we used information from a variety of different public entities with similar law enforcement exposure.

Calculations underlying the cost estimates are included in the exhibits which follow.

We appreciate the opportunity to be of service to CAPRI in preparing this report. Please feel free to call Mike Harrington at (916) 244-1162 or Derek Burkhalter at (916) 244-1167 with any questions you may have concerning this report.

Mike Harrington and Derek Burkhalter meet the Casualty Actuarial Society continuing education requirements and the American Academy of Actuaries’ qualification standards to sign Statements of Actuarial Opinion.

DRAFT

Mike Harrington, FCAS, MAAA
President and Principal

DRAFT

Derek Burkhalter, ACAS, MAAA
Senior Actuarial Manager

SUMMARY OF RESULTS

Current Rates

There are currently 3 members of CAPRI that have armed law enforcement exposure. Each of these 3 members pays a surcharge of \$4,000 to account for that specific exposure for a total of \$12,000 annually. The surcharge is in addition to the standard premium calculated for each member, so it represents a charge for the increased risk added to the pool by employees which work in a law enforcement role and carry firearms.

There are a total of 3 full-time and 32 part-time employees that fall into this category, which equates to 19.0 full-time equivalent (FTE) employees. So the average rate currently charged \$632 per FTE.

Indicated Rates

Based upon a review of industry information, we have developed some cost-based indications for the law enforcement surcharges.

The following table presents our recommendations regarding CAPRI's law enforcement surcharges by limit for full coverage at the expected level as well as at various confidence levels. The rates shown are per full-time equivalent (FTE) employee.

California Association for Park and Recreation Indemnity
Law Enforcement Surcharges per FTE
\$0 Deductible

Limit	CL	Exp	70%	75%	80%	85%	90%
\$1 million		933	1,108	1,196	1,300	1,432	1,608
\$5 million		1,180	1,402	1,513	1,645	1,811	2,034
\$10 million		1,213	1,442	1,556	1,692	1,863	2,092
\$25 million		1,273	1,513	1,632	1,775	1,954	2,195

The following table presents our recommendations regarding CAPRI's law enforcement surcharges by limit for \$25,000 deductible coverage at the expected level as well as at various confidence levels. The rates shown are per full-time equivalent (FTE) employee.

California Association for Park and Recreation Indemnity
Law Enforcement Surcharges per FTE
\$25,000 Deductible

Limit	CL	Exp	70%	75%	80%	85%	90%
\$1 million		550	654	706	767	845	949
\$5 million		797	947	1,022	1,112	1,224	1,375
\$10 million		831	987	1,065	1,158	1,276	1,433
\$25 million		891	1,058	1,142	1,242	1,367	1,536

The following table presents our recommendations regarding CAPRI's law enforcement surcharges by limit for \$50,000 deductible coverage at the expected level as well as at various confidence levels. The rates shown are per full-time equivalent (FTE) employee.

California Association for Park and Recreation Indemnity
Law Enforcement Surcharges per FTE
\$50,000 Deductible

Limit	CL	Exp	70%	75%	80%	85%	90%
\$1 million		382	454	490	533	587	659
\$5 million		629	748	807	878	966	1,085
\$10 million		663	788	850	924	1,018	1,143
\$25 million		723	859	927	1,008	1,110	1,246

ANALYSIS APPROACH

Lack of Credible Data

For this analysis, we are assessing a charge for a very low frequency and potentially high severity risk. As such, CAPRI does not have enough loss experience in its own history to provide a reliable statistical basis for determining an appropriate charge for this exposure.

Industry Approach

Given the lack of credible loss experience for CAPRI related to the law enforcement surcharge, we must look at other public entities in the industry which provide similar coverage to obtain estimates of the cost.

For this purpose, we have looked at municipalities, counties, and public entity risk pools and their comparable experience. After considering numerous entities, we selected five entities (2 cities, 2 counties, and 1 risk pool) which have both parks and recreation exposure and armed law enforcement exposure.

We started by estimating loss rates per \$100 of payroll for each of these entities for both types of exposure (parks and law enforcement). As expected, the indicated loss rates for law enforcement are larger than the indicated loss rates for parks and recreation. To assess the increased risk, we took the difference between the rates for each exposure. And since law enforcement exposure in a parks and recreation setting are expected to be somewhat less than fully dedicated law enforcement positions, we applied a dampening factor of 75% to the rate differential. After applying the dampening factor, we arrived at indicated rates per \$100 of payroll for the increased exposure.

We then estimated an average salary for law enforcement employees in parks and recreation. This average was determined based upon average salaries from some of the entities in our analysis, as well as online sources. Multiplying the indicated payroll rate times the average payroll allowed us to arrive at a flat charge addition for law enforcement exposure assuming full coverage with a \$1 million coverage limit.

We then utilized CAPRI specific deductible factors and confidence level factors, as well as industry based increased limits factors to develop surcharges for each deductible, limit, and confidence level.

CONSIDERATIONS AND KEY ASSUMPTIONS

Data

Data Quality: Our analysis is based in part on loss experience provided to us by or on behalf of CAPRI. While we have not independently audited or verified this information, we have reviewed it for reasonability and internal consistency. We have assumed that the data is accurate and complete. Any material inaccuracy or omission could invalidate the conclusions in this report and should be brought to our attention immediately.

Claims: The claims data utilized in this study was provided to us by CAPRI and other public entities.

Other Actuarial Considerations

Benchmarks: We have utilized information from other public agencies to develop the estimates in this report. It is assumed that the experience of the benchmarks is relevant for assessing similar costs for CAPRI.

Trending: We have adjusted claims costs to reflect inflation. The claim cost trend factors are based on our most recent actuarial report.

Loss Development: The rate at which costs develop to their ultimate level was included in the calculation of loss development factors. The claim cost trend factors are based on our most recent actuarial report.

Loss Limitations: Our projections of claim costs are limited to CAPRI's SIR and at various SIRs. We have assumed that all relevant reinsurance purchased by CAPRI for costs above the SIR is collectible.

CONDITIONS AND LIMITATIONS

It is important to recognize that the projections in this report are estimates at one point in time and are subject to future changes. Since the emergence and settlement of claims are subject to uncertainty, actual developments likely will vary, perhaps significantly, from the amounts carried in this report. No warranty is expressed or implied that such variance will not occur. The accuracy of the conclusions in this report depends on many factors, including the following:

Data Accuracy: This report relies on loss and exposure information provided by various public entities. The accuracy of our projections relies on the accuracy of this data.

Loss Development: The appropriateness of CAPRI's historical and industry loss development patterns in projecting future loss development.

Trend Changes: The appropriateness of the trend indices used to adjust historical losses.

New Classes of Claims: Our projections make no provision for the extraordinary future emergence of new classes of loss or types of loss not sufficiently represented in historical industry data, or which are not yet quantifiable.

DISTRIBUTION AND USE

This report was prepared for the sole use of CAPRI and its auditors. This report is neither intended nor necessarily suitable for any other use. It may be forwarded to regulatory authorities as required by law. Any other distribution of this report requires the express written consent of Bickmore Actuarial. If such consent is granted, the report should be forwarded in its entirety, including all exhibits and appendices. It should also be understood that Bickmore Actuarial would be available to answer any questions regarding this report and its conclusions.

GLOSSARY OF ACTUARIAL TERMS

Accident Year – Year during which the accidents that generate a group of claims occurs, regardless of when the claims are reported, payments are made, or reserves are established.

Allocated Loss Adjustment Expenses (ALAE) – Expense incurred in settling claims that can be directly attributed to specific individual claims (e.g., legal fees, investigative fees, court charges, utilization review, bill review, etc.)

Loss Adjustment Expense– The sum of Allocated Loss Adjustment Expense (ALAE) and Unallocated Loss Adjustment Expense (ULAE).

Loss Development Factor – A factor applied to losses for a particular accident period to reflect the fact that reported and paid losses do not reflect final values until all claims are settled. See the Methodology section.

Paid Losses – Losses actually paid on all reported claims.

Reported Losses – The total expected value of losses as estimated by the claims administrator. This is the sum of paid losses and case reserves.

Self-Insured Retention (SIR) – The level at which an excess insurance policy is triggered to begin payments on a claim. Financially, this is similar to an insurance deductible.

Severity – Average claim cost.

California Association for Park & Recreation Indemnity - Liability

Estimated Law Enforcement Surcharges
Rate per FTE

\$0 Deductible

<u>SIR</u>	<u>Expected</u>	<u>70%</u>	<u>75%</u>	<u>80%</u>	<u>85%</u>	<u>90%</u>
1,000,000	933	1,108	1,196	1,300	1,432	1,608
5,000,000	1,180	1,402	1,513	1,645	1,811	2,034
10,000,000	1,213	1,442	1,556	1,692	1,863	2,092
25,000,000	1,273	1,513	1,632	1,775	1,954	2,195

\$25,000 Deductible

<u>SIR</u>	<u>Expected</u>	<u>70%</u>	<u>75%</u>	<u>80%</u>	<u>85%</u>	<u>90%</u>
1,000,000	550	654	706	767	845	949
5,000,000	797	947	1,022	1,112	1,224	1,375
10,000,000	831	987	1,065	1,158	1,276	1,433
25,000,000	891	1,058	1,142	1,242	1,367	1,536

\$50,000 Deductible

<u>SIR</u>	<u>Expected</u>	<u>70%</u>	<u>75%</u>	<u>80%</u>	<u>85%</u>	<u>90%</u>
1,000,000	382	454	490	533	587	659
5,000,000	629	748	807	878	966	1,085
10,000,000	663	788	850	924	1,018	1,143
25,000,000	723	859	927	1,008	1,110	1,246

California Association for Park & Recreation Indemnity - Liability

Estimated Law Enforcement Surcharges
Rate Development

Industry Rates Per \$100 Payroll
\$1,000,000 Limit / \$0 Deductible

<u>Entity</u>	<u>Law Enforcement Rate</u>	<u>Parks and Recreation Rate</u>	<u>Differential Rate</u>	<u>75% Differential Rate</u>	<u>Weight</u>
Entity 1	\$4.464	\$3.363	\$1.101	\$0.826	10%
Entity 2	2.700	1.733	0.967	0.725	10%
Entity 3	5.491	2.653	2.838	2.129	15%
Entity 4	6.197	3.670	2.527	1.895	15%
Entity 5	3.116		3.116	2.337	50%
Selected Average Rate Per \$100 Payroll				\$1.927	

Parks and Recreation Law Enforcement Average Annual Salaries

Entity 3	47,421
Entity 4	44,577
glassdoor.com	49,667
payscale.com	48,600
thebalancecareers.com	52,541
indeed.com	47,694
Average	48,400

Selected Average Rate Per FTE \$933

California Association for Park & Recreation Indemnity - Liability

Estimated Law Enforcement Surcharges
Deductible, Limit, and Confidence Level Factors

Deductible Factors (Relative to \$1,000,000 Limit)

<u>Deductible</u>	<u>Factor</u>
\$0	1.000
\$25,000	0.590
\$50,000	0.410

Increased Limit Factors (Relative to \$1,000,000 Limit)

<u>Limit</u>	<u>Factor</u>
1,000,000	1.000
5,000,000	1.265
10,000,000	1.301
25,000,000	1.365

Confidence Level Factors

<u>Confidence Level</u>	<u>Factor</u>
Expected	1.000
70%	1.188
75%	1.282
80%	1.394
85%	1.535
90%	1.724

DISCUSSION/ACTION ITEMS

SUBJECT: Workers' Compensation MOC Review

BACKGROUND AND STATUS:

Staff and CAPRI counsel, Mr. Byrne Conley, have reviewed the CAPRI Workers' Compensation Memorandum of Coverage in advance of the 2021-2022 fiscal year. At this time, there are several proposed revisions which include the following:

- Changes to the Declarations Page to indicate excess coverage is provided by PRISM and CAPRI would follow their Endorsement re disease claims.
- Under Coverage, part 1, added that CAPRI liability does not exceed that of the member district after apportionment.
- Under Coverage part 2, added language incorporating the Labor Code definitions of employees.
- Under Exclusions, 6, added language that CAPRI will defend section 132(a) claims and serious and willful claims, but the member district has to pay the indemnity, and may bring in counsel, but only at its own expense.
- Under Exclusions, 10, added some terms to the EPL exclusion, taken from another pool's form. This exclusion is so that CAPRI's Employer's Liability coverage in the WC form does not duplicate our EPL coverage in the Property/Liability Program.
- Under Exclusions, 11 is added, so that Employer's Liability coverage does not extend to benefits under various wage and leave laws, nor to discrimination claims addressed in our EPL coverage.
- Under Premium, 1, added a reference to ex mods.
- Under Premium, 3.D, added an option to omit calculating a premium base for volunteers.

Attached hereto please find a Redline Draft of the 2021-2022 Memorandum of Coverage for discuss. Staff and Mr. Conley will be prepared to further discuss this item at the Board Meeting.



RECOMMENDATION:

Direct that the 2021-2022 Workers' Compensation Memorandum of Coverage be revised as proposed in the redline draft.

FISCAL IMPACT:

No direct fiscal impact expected as the revisions will serve to clarify the scope of CAPRI's coverage.

REFERENCE MATERIALS ATTACHED:

- Redline Draft of 2021-2022 CAPRI Workers' Compensation Memorandum of Coverage

CALIFORNIA ASSOCIATION FOR PARK AND RECREATION INDEMNITY
(CAPRI)

Workers' Compensation Program

Memorandum of Coverage

Form No. CAPRI 202~~1~~¹-202~~2~~² WC
7/1/202~~1~~¹

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DECLARATIONS

1. *Coverage Provider*

California Association for Park and Recreation Indemnity (CAPRI) as now or may be hereafter constituted.

2. *Member Districts*

As per the "Schedule of Member Districts".

3. *CAPRI Mailing Address*

1075 Creekside Ridge Drive, Suite 240
Roseville, California 95678

4. *Coverage Period*

July 1, 2020 to July 1, 2021, beginning and ending at 12:01 AM standard time.

5. *Limits of Liability*

The liability to pay for benefits, damages, additional cost, and defense cost under this Memorandum of Coverage is limited to the coverage limits as follows:

Workers' Compensation	\$350,000
Employer Liability	\$350,000

The limits of liability are the most CAPRI will pay for all amounts covered by this Memorandum of Coverage because of bodily injury to one or more employees in any one accident or occurrence, or series of accidents or occurrences, arising out of any one event. CAPRI will not pay any claim for damages after it has paid the limit of liability under this Memorandum of Coverage.

6. *Excess Form and Incorporation by Reference.*

Coverage in excess of the Limits of Liability stated above is provided pursuant to the terms, conditions and limitations contained in the Memorandum of Coverage of the Public Risk Innovation, Solutions, and Management ("PRISM") Excess Workers Compensation Program. Endorsement No. 2 in the PRISM Memorandum of Coverage. "Communicable Disease Amendatory Endorsement," related to the number of Occurrences involved in Occupational disease, is hereby incorporated by reference and will apply to CAPRI coverage under this Memorandum as well.

Deleted: contained in the Excess Workers' Compensation Insurance Policy in effect at the time of the occurrence which has been purchased by CAPRI to cover workers' compensation and employer liability claims against the member districts. The limits of liability are ...

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California Association for Park & Recreation Indemnity (CAPRI)
2021-2022 Workers' Compensation

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SCHEDULE OF MEMBER DISTRICTS

The California Association for Park and Recreation Indemnity (CAPRI) and the following self-insured public entities are included as Member Districts:

Ambrose Recreation and Park District	Livermore Area Recreation and Park District
Arcade Creek Recreation and Park District	McFarland Recreation and Park District
Arden Manor Recreation and Park District	Mendocino Coast Recreation and Park District
Arden Park Recreation and Park District	Mission Oaks Recreation and Park District
Bear Mountain Recreation and Park District	Monte Rio Recreation and Park District
Bear River Recreation and Park District	Mt. Shasta Recreation and Park District
Beaumont-Cherry Valley Recreation and Park District	North Highlands Recreation and Park District
Belvedere-Tiburon Recreation Department	North of the River Recreation and Park District
Boulder Creek Recreation and Park District	Orangevale Recreation and Park District
Buttonwillow Recreation and Park District	Paradise Recreation and Park District
Carmichael Recreation and Park District	Pleasant Hill Recreation and Park District
Central Plumas Recreation and Park District	Pleasant Valley Recreation and Park District
Coalinga-Huron Recreation and Park District	Rancho Simi Recreation and Park District
Conejo Recreation and Park District	Rio Linda-Elverta Recreation and Park District
Cordova Recreation and Park District	Russian River Recreation and Park District
Desert Recreation District	Shafter Recreation and Park District
Dunsmuir Recreation and Park District	Silverado-Modjeska Recreation and Park District
Durham Recreation and Park District	Soledad Mission Recreation and Park District
Fair Oaks Recreation and Park District	Southgate Recreation and Park District
Fulton-El Camino Recreation and Park District	Strawberry Recreation and Park District
Greater Vallejo Recreation District	Sunrise Recreation and Park District
Hayward Area Recreation and Park District	Tehachapi Valley Recreation and Park District
Hesperia Recreation and Park District	Truckee-Donner Recreation and Park District
Highlands Recreation District	Tuolumne Park and Recreation District
Isla Vista Recreation and Park District	Valley Wide Recreation and Park District
Jurupa Area Recreation District	Wasco Recreation and Park District
La Selva Beach Recreation District	Weed Recreation and Park District
Ladera Recreation District	West Side Recreation and Park District
Lake Cuyamaca Recreation and Park District	Western Gateway Recreation and Park District

COVERAGE

1. Coverage

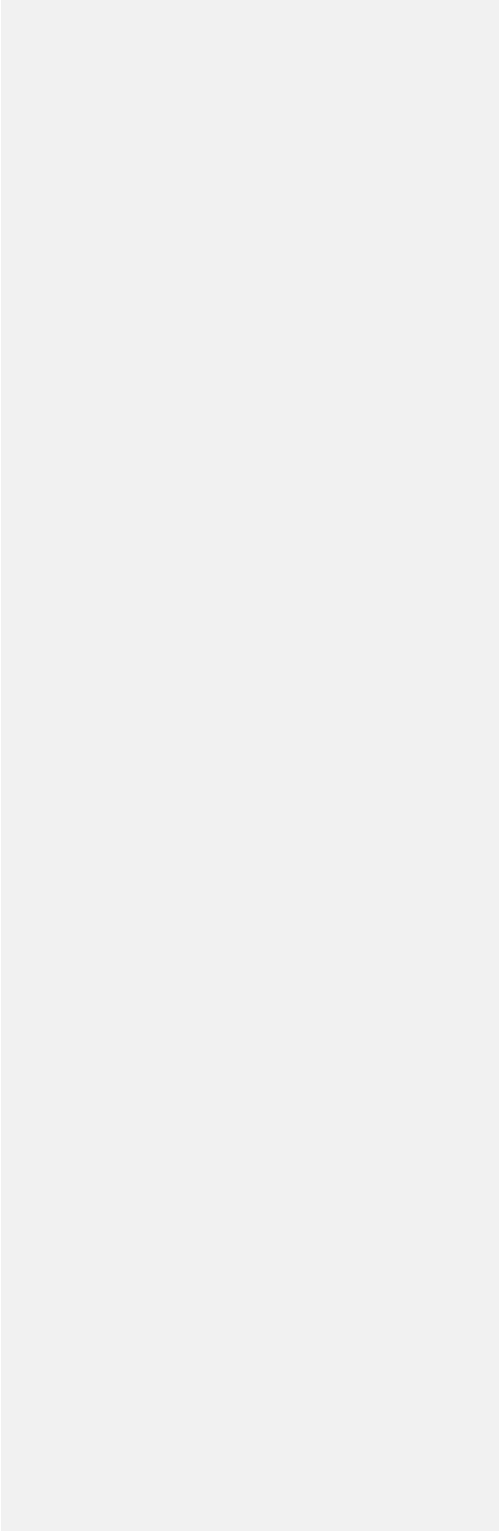
The California Association for Park and Recreation Indemnity (CAPRI), a joint powers authority comprised of California special districts, hereinafter referred to as CAPRI, in return for the payment of premiums as they become due, in reliance upon the statements in the declarations made a part hereof and subject to all the terms and conditions of this Memorandum of Coverage, the Joint Powers Agreement and Bylaws, agrees to provide workers' compensation coverage and employer liability coverage, to the member districts except as excluded herein.

The **Workers' Compensation** coverage applies to bodily injury by accident or disease, including death resulting therefrom. Bodily injury by accident must occur during the coverage period. Bodily injury by accident or disease must be caused or aggravated by the conditions of the employment. The employee's exposure to those conditions causing or aggravating such bodily injury by disease must occur during the coverage period. Coverage is limited to amounts the member district is liable for after apportionment to preexisting, concurrent or subsequent injuries or illnesses as determined under the California Labor Code.

The **Employer Liability** coverage applies to bodily injury by accident or bodily injury by disease. Bodily injury means a physical or mental injury, including resulting death. Bodily injury does not include emotional distress, anxiety, discomfort, inconvenience, depression, dissatisfaction or shock to the nervous system, unless caused by either a manifest physical injury or a disease with a physical dysfunction or condition resulting in treatment by a licensed physician and surgeon

- A. The bodily injury must arise out of and in the course of the injured employee's employment by the member district.
- B. The employment must be necessary or incidental to the member districts' work in California.
- C. Bodily injury by accident must occur during the coverage period.
- D. Bodily injury by disease must be caused or aggravated by the conditions of the employment. The employee's last day of last exposure to the conditions causing or aggravating such bodily injury by disease must occur during the coverage period.
- E. Under the employer liability coverage, if a member district is sued, the original suit and any related legal actions for damages for bodily injury by accident or by disease must be brought in the United States of America, its territories, or possessions, or Canada.

2020-2021 Workers' Compensation



2. *Payments by CAPRI*

CAPRI shall pay promptly when due the benefits required of the member district by the workers' compensation law of the State of California, for liability to employees (as defined by California Labor Code sections 3350-3371), subject to the provisions of this Memorandum.

CAPRI shall further pay all sums the member district legally must pay as damages because of bodily injury to an employee, provided the bodily injury is covered by the employer liability coverage.

Under the employer liability coverage, the damages CAPRI shall pay, where recovery is permitted by law, include damages:

- A. For which the member district is liable to a third party by reason of a claim or suit against the member district by that third party to recover the damages claimed against such third party as a result of injury to a member district employee;
- B. For care and loss of services;
- C. For consequential bodily injury to a spouse, child, parent, brother, or sister of the injured employee, provided that these damages are the direct consequence of bodily injury that arises out of and in the course of the injured employee's employment by you; and
- D. Because of bodily injury to your employee that arises out of and in the course of employment claimed against you in a capacity other than as employer.

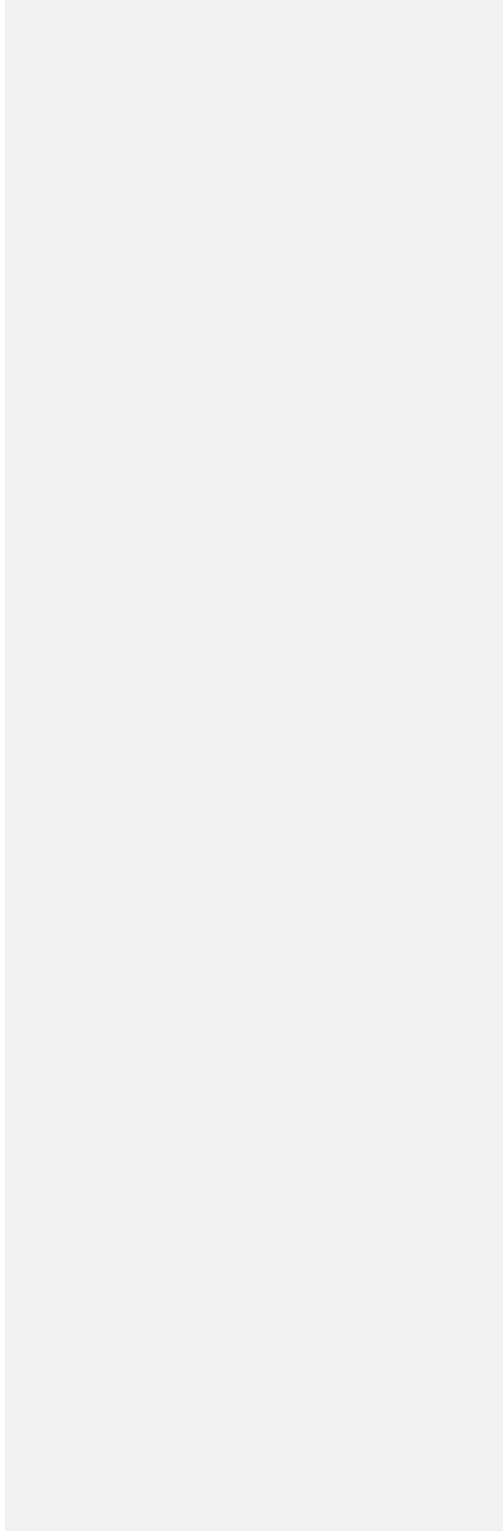
3. *Additional Cost*

CAPRI shall also pay these costs in addition to other amounts payable under this coverage as part of any claim, proceeding, or suit CAPRI defends:

- A. Reasonable expenses incurred at the request of CAPRI, but not loss of earnings;
- B. Premiums for bonds to release attachments and for appeal bonds in bond amounts up to the limit of liability under this coverage;
- C. Litigation costs taxed against the member district;
- D. Interest on a judgment as required by law, until CAPRI offers the amount due under this coverage; and
- E. Expenses incurred by CAPRI.

4. *Defense Costs*

CAPRI shall have the right and duty to defend, at its expense, any claim, proceeding or suit against a member district for benefits or damages payable by



this coverage. CAPRI shall have the right to investigate and settle these claims, proceedings, or suits.

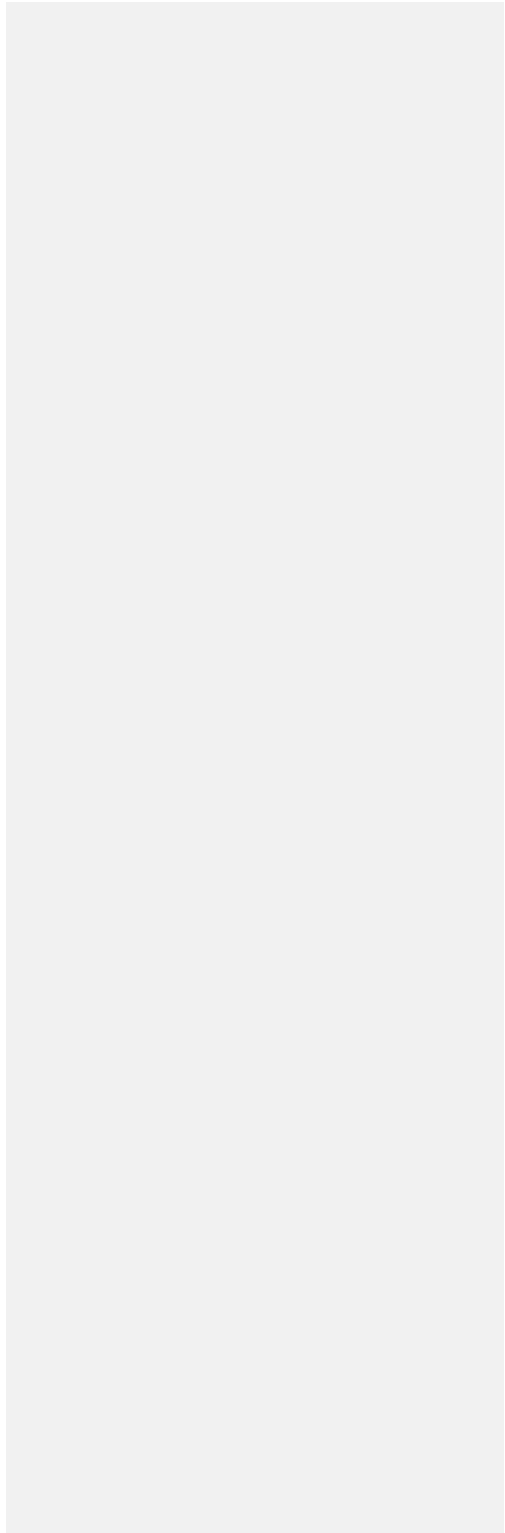
CAPRI shall have no duty to defend a claim, proceeding, or suit that is not covered by this coverage. CAPRI shall have no duty to defend or continue defending after CAPRI has paid the applicable limit of liability under this coverage.

EXCLUSIONS

This Memorandum of Coverage does not cover:

1. Liability assumed under a contract.
2. Bodily injury to an employee while employed in violation of law with the member district's actual knowledge or the actual knowledge of any of the member district executive officers.
3. Any obligation of a member district to pay salary in lieu of temporary disability benefits as required by Labor Code section 4850, except to the extent that the member district or CAPRI would be obligated to pay temporary disability benefits if Labor Code section 4850 did not apply.
4. Any liability for additional compensation imposed on a member district under Section 4557, Division IV, Labor Code of the State of California, by reason of injury to an employee under sixteen years of age and illegally employed at the time of injury.
5. Bodily injury occurring outside the United States of America, its territories or possessions and Canada. This exclusion does not apply to bodily injury to a citizen or resident of the United States of America or Canada who is temporarily outside these countries;
6. Any payments in excess of the benefits regularly provided by the workers' compensation law including those required because of:
 - A. serious and willful misconduct;
 - B. knowingly employ an employee in violation of law;
 - C. failure to comply with a health or safety law or regulation;
 - D. discharge, coerce, or otherwise discriminate against any employee in violation of the workers' compensation law;
 - E. punitive or exemplary damages, fines or penalties assessed against or imposed upon a member district, including penalties and fines imposed for violation of Labor Code section 132 (a) and/or Labor Code section 4553 (serious and willful misconduct); or for violation of any safety or health statute or regulation.
 - F. CAPRI will defend claims described in this Section 6, through counsel of CAPRI's selection, but payment of any award described in this section shall be the responsibility of the member district. The member district may elect alternatively to defend itself with counsel of its choosing, but at its own expense.

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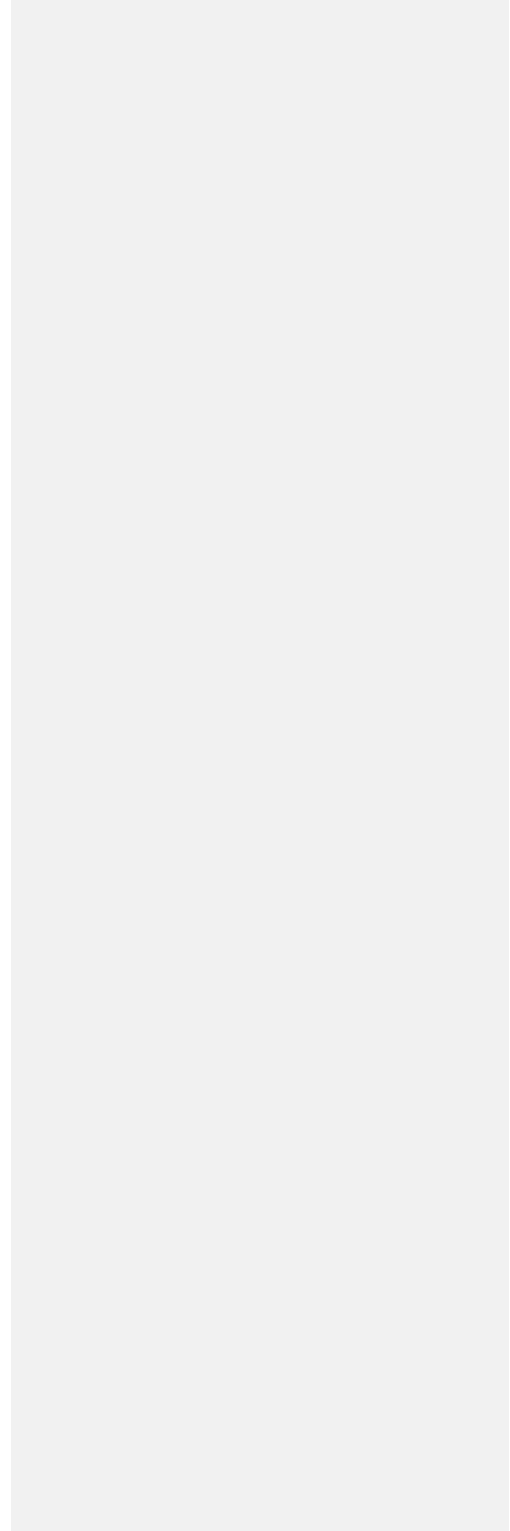


7. Under the employer liability coverage, any obligation imposed by a workers' compensation, occupational disease, unemployment compensation, or disability benefits law, or any similar law;
8. Under the employer liability coverage, bodily injury intentionally caused or aggravated by the member district;
9. Under the employer liability coverage, bodily injury arising out of termination of employment; and
10. Under the employer liability coverage, loss arising out of the coercion, criticism, evaluation, reassignment, discipline, defamation, invasion of privacy, harassment, humiliation, demotion, failure to promote, discrimination against or termination of any employee or any personnel practices, policies, acts or omissions.
11. Under the employer liability coverage, any claims arising under the Americans With Disabilities Act, Family Medical Leave Act, Pregnancy Disability Leave Act, Fair Labor Standards Act, Equal Employment Opportunity Act, Fair Employment and Housing Act, or similar law.

If CAPRI makes any payments in excess of the benefits regularly provided by the workers' compensation law on behalf of a member district, the member district shall reimburse CAPRI promptly.

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CONDITIONS

All Coverage included in this Memorandum of Coverage is subject to the following:

1. Duties when an injury occurs
 - A. The member district shall notify CAPRI at once if injury occurs that may be covered by this Memorandum of Coverage.
 - B. Provide for immediate medical and other services required by the workers' compensation law.
 - C. Give CAPRI or the designated claims management firm the names and addresses of the injured persons and of witnesses and other information CAPRI may need.
 - D. Promptly give CAPRI all notices, demands, and legal papers related to the injury, claim, proceeding, or suit.
 - E. Cooperate with CAPRI and assist CAPRI as may be requested in the investigation, settlement, or defense of any claim, proceeding, or suit.
 - F. Do nothing after an injury occurs that would interfere with the right to recover from others.
 - G. Do not voluntarily make payments, assume obligations, or incur expenses except at your own cost.

2. Inspection

CAPRI shall have the right but is not obligated to inspect your workplaces at any time. The inspections are not safety inspections, and relate only to the insurability of the workplaces and the premiums to be charged. CAPRI may give the member district reports on the conditions CAPRI finds. CAPRI may also recommend changes. While they help reduce losses, CAPRI does not undertake to perform the duty of any person to provide for the health or safety of the member district employees or the public. CAPRI does not warrant that your workplaces are safe or healthful or that they comply with laws, regulations, codes or standards.

3. Qualified Self-Insured

The member district represents that it is a duly qualified self-insured under the Workers' Compensation Law of the State of California and will continue to maintain such qualification during the term of this Memorandum of Coverage. If the member district fails to qualify or to maintain such qualification, the coverage provided under

this Memorandum of Coverage shall automatically terminate upon the first date of such failure.

4. Transfer of the Member District Rights and Duties

The member district rights or duties under this memorandum may not be transferred without CAPRI's written consent.

5. Other Insurance

CAPRI shall not pay more than its share of benefits and costs covered by this coverage and other insurance or self-insurance. Subject to any limits of liability that may apply, all shares will be equal until the loss is paid. If any insurance or self-insurance is exhausted, the shares of all remaining insurance or self-insurance will be equal until the loss is paid.

6. Recovery from Others

CAPRI shall have the rights of the member district, and the rights of any person entitled to the benefits of this coverage, to recover any payments from anyone liable for an injury covered by this Memorandum of Coverage. The member district shall do everything necessary to protect those rights for CAPRI and help enforce them.

7. Statutory Provisions

These statements apply where they are required by law:

- A. As between an injured worker and CAPRI, CAPRI has notice of the injury when the member district has notice.
- B. A member district default or bankruptcy or insolvency shall not relieve CAPRI of its duties under this coverage after an injury occurs.
- C. CAPRI is directly and primarily liable to any person entitled to the benefits payable by this coverage. These persons may enforce the duties of CAPRI, and so may an agency authorized by law. Enforcement may be against CAPRI or against the member district and CAPRI.
- D. Jurisdiction over the member district is jurisdiction over CAPRI for purposes of the workers' compensation law. CAPRI is bound by decisions against the member district under that law, subject to the provisions of this memorandum that are not in conflict with that law.
- E. The member district employee has a first lien upon any amount which becomes owing to the member district by CAPRI on account of the

coverage provided under this Memorandum of Coverage, and in the case of the member district's legal incapacity or inability to receive the money and pay it to the claimant, CAPRI shall pay it directly to the claimant.

- F. This Memorandum of Coverage conforms to the part of the workers' compensation law that applies to:
- i Benefits payable by this coverage.
 - ii Special taxes, payments into security or other special funds, and assessments payable by CAPRI under that law.

Terms of this coverage that conflict with the workers' compensation law are changed by this statement to conform to that law.

Nothing in these paragraphs relieves the member district of their duties under this Memorandum of Coverage.

8. Action Against CAPRI

There shall be no right of action against CAPRI under this coverage unless:

- A. The member district has complied with all the terms of this memorandum; and
- B. The amount owed has been determined with CAPRI's consent or by actual trial and final judgment.

This coverage does not give anyone the right to add CAPRI as a defendant in an action against a member district to determine liability.

9. Cancellation

- A. The member district may cancel this coverage pursuant to the terms of the Joint Powers Agreement.
- B. CAPRI may cancel this memorandum pursuant to the terms of the Joint Powers Agreement.

PREMIUM

1. Premium Due

The premium due for the coverage set forth in this Memorandum of Coverage shall be determined pursuant to the terms and conditions set forth in the Joint Powers Agreement. The rules, classifications, and rates published by the Workers' Compensation Inspection Rating Bureau for the applicable year shall be used in

computing premiums and/or modified by policies and procedures established from time-to-time by the CAPRI Board of Directors, including application of experience modification adjustments based on member district loss history.

2. Classifications

The member district payroll shall be classified pursuant to the rules published by the Workers' Compensation Insurance Rating Bureau and procedures and policies established from time-to-time by the CAPRI Board of Directors.

3. Remuneration

Premium for each work classification is determined by multiplying a rate times a premium basis. Remuneration is the most common premium basis. This premium basis includes payroll and all other remuneration paid or payable during the coverage period for the services of:

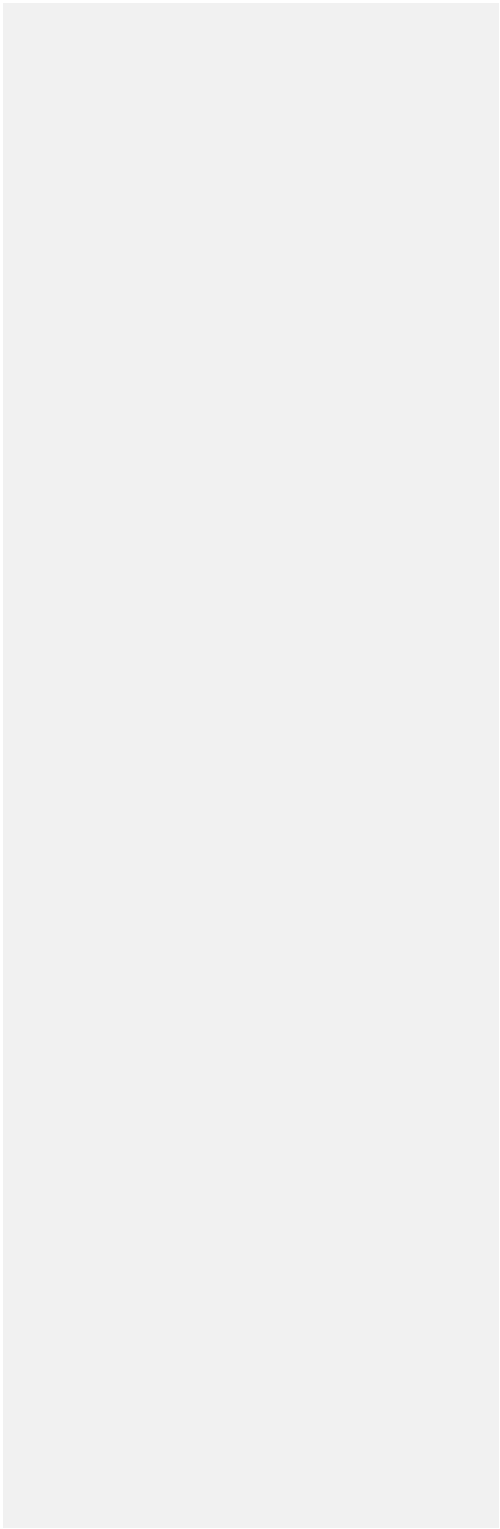
- A. All member district officers and employees engaged in work covered by this memorandum; and
- B. All other persons engaged in work that could make CAPRI liable under Part I (Workers' Compensation) of this memorandum. If a member district does not have payroll records for these persons, the contract price for their services and materials may be used as the premium basis. This Paragraph (2) will not apply if you give CAPRI proof that the employers of these persons lawfully secured their workers' compensation obligations.
- C. The premium base for the member district Board of Directors is a minimum payroll of \$1,200 per director per year. If the reported payroll is less than \$1,200 per director per year, then the payroll figure will be increased to \$1,200 per director per year in computing premium. If the reported payroll exceeds \$1,200 per director per year, then the premium will be computed based upon the actual payroll.
- D. The premium base for volunteers is the number of hours worked times federal minimum wage for each hour worked. This premium base applies to volunteers who receive direct or indirect compensation from the district and applies to volunteers who are covered for workers' compensation benefits by resolution of the district Board of Directors. Alternatively, the Board may determine to base premium calculations solely on items 3.A through 3.d. above.

4. Premium Payments

You shall pay all premiums when due.

5. Deposit Premium and Final Premium

The deposit premium is an estimate. The final premium will be determined after the end of each fiscal year by using the actual, not the estimated, premium basis and the proper classification and rates that lawfully apply to the business and work covered by this memorandum. If the final premium is more than the



premium you paid to CAPRI, you must pay CAPRI the balance. If it is less, CAPRI will refund the balance to you.

If a member district coverage is terminated, the final premium will be calculated pro rata based on the time this coverage was in force.

6. Records

The member district shall keep records of information needed to compute a premium, and provide copies of these records when CAPRI asks for them.

7. Audit

The member district shall allow CAPRI to examine and audit all records that relate to this coverage and this memorandum. These records include ledgers, journals, registers, vouchers, contracts, tax reports, payroll and disbursement records, and programs for storing and retrieving data. CAPRI may conduct the audits during regular business hours during the period of coverage and within three years after the coverage period ends. Information developed by audit will be used to determine final premium.

8. Rate Changes

This Memorandum of Coverage is issued by CAPRI and accepted by the member district with the agreement that member district will accept any increase in premium or in the rates of premium which may be promulgated under any rating plan approved by the CAPRI Board of Directors and that the effective date of any such increase shall be the effective date thereof fixed in accordance with the provisions of any such rating plan so approved by the CAPRI Board of Directors. Also the rates used to determine the premium are subject to increase during the term of the Memorandum of Coverage if an increase in rates applicable to policies in force is approved by the CAPRI Board of Directors, and that the effective date of any such increase shall be the date fixed by the CAPRI Board of Directors.

IN WITNESS WHEREOF, this Memorandum of Coverage has been executed by the California Association for Park and Recreation Indemnity (CAPRI) this 1st day of July 2020.

California Association for Park and Recreation Indemnity (CAPRI)

By :  _____

Matthew Duarte
Executive Director



**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT
EXCESS WORKERS' COMPENSATION PROGRAM
CORE TOWER
MEMORANDUM OF COVERAGE
DECLARATIONS**

- ITEM 1: COVERED PARTY:** California Association for Park & Recreation Indemnity
- ITEM 2: MEMORANDUM PERIOD:** From July 1, 2020 to July 1, 2021, 12:01 a.m. local time of the **Covered Party** as stated herein
- ITEM 3: STATE:** California
- ITEM 4: RETENTION AND INDEMNITY:**
- A. COVERED PARTY'S RETENTION:**
- \$ 350,000 each **occurrence**
- B. LIMIT OF INDEMNITY:**
- Statutory (See attached Schedule of Limits and Coverage Providers)
- PRISM's limit of indemnity, as set forth in ITEM 4 B includes pooled limits that apply to all Members and all **Covered Parties** combined for all **losses** as a result of any one **occurrence**.
- ITEM 5: MEMORANDUM NUMBER:** PRISM-PE 20 EWC-15
- ITEM 6: ESTIMATED PAYROLL:** \$ 108,896,741
- ITEM 7: DEPOSIT PREMIUM:** \$ 708,270 (inclusive of all layers & fees)
- This premium is auditable based on final audited payroll
- ITEM 8: FORMS AND ENDORSEMENTS ATTACHED AT INCEPTION:** EWC MOC 7/1/2012, Endorsement No. U-1, U-2, U-3, U-4, U-5, U-6, 1, 2

Notice: The limits of indemnity shown below include various reinsurance and excess placements with specific limits which are inclusive and not excess of the limits stated above in Item 4.B. The limits of indemnity shown in Item 4.B. apply to all Members and all **Covered Parties** combined in the Core Tower for all **losses** as a result of any one **occurrence**. Each Coverage Provider listed on the Schedule of Limits and Coverage Providers provides coverage on its own form so there may be some coverage variances as a result of different policy language. Please carefully review all coverage forms.

Countersigned by:  **Issue Date:** June 29, 2020 Authorized Representative
Public Risk Innovation, Solutions, and Management

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT
EXCESS WORKERS' COMPENSATION PROGRAM
SCHEDULE OF LIMITS AND COVERAGE PROVIDERS
July 1, 2020 to July 1, 2021**

Notice: The limits of indemnity shown below include various reinsurance and excess placements with specific limits which are inclusive and not excess of the limits stated herein. The limits of indemnity shown below apply to all Members and all **Covered Parties** combined in the Core Tower for all **losses** as a result of any one **occurrence**. Each Coverage Provider listed below provides coverage on its own form so there may be some coverage variances as a result of different policy language. Please carefully review all coverage forms.

No.	Limit of Indemnity	Coverage	Coverage Provider	Policy Number
A)	\$4,650,000 excess of \$350,000 This layer is reinsured by Great American Insurance Company	Workers' Compensation and Employers' Liability	Public Risk Innovation, Solutions, and Management	PRISM-PE 20 EWC-15
B)	\$45,000,000 excess of \$5,000,000 This layer is reinsured by ACE American Insurance Company	Workers' Compensation	Public Risk Innovation, Solutions, and Management	PRISM-PE 20 EWC-15
C)	Statutory excess of \$50,000,000	Workers' Compensation	Liberty Insurance Corporation	EW7-444785-020

PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)

EXCESS WORKERS' COMPENSATION PROGRAM MEMORANDUM OF COVERAGE

Public Risk Innovation, Solutions, and Management (hereinafter PRISM) agrees with the **Covered Party** named in the Declarations made a part hereof, in consideration of the payment of the premium and subject to all of the terms of this Memorandum, as follows:

COVERAGE AGREEMENTS

- I. APPLICATION OF MEMORANDUM: This Memorandum applies to **loss** sustained by the **Covered Party** because of liability imposed upon the **Covered Party** by:

A. The **Workers' Compensation Act** of California or the **Workers' Compensation Act** of any state other than California, provided that California is the injured **employee's** normal state of employment or residence, or

B. "Employers' Liability"

on account of **bodily injury or occupational disease** sustained by **employees** of the **Covered Party**, while engaged in operations of the **Covered Party**, as a result of **occurrences** taking place during the coverage period and while this Memorandum is in force.

The indemnity afforded by this Memorandum under Coverage Agreement I.B. for **loss** because of liability imposed by "Employers' Liability" applies only as respects such operations in California including **employees** who are regularly engaged in such operations in California but who may be temporarily outside California in connection with such operations. As respects liability imposed by "Employers' Liability", PRISM shall have no obligation to indemnify the **Covered Party** for damages imposed in any lawsuit brought in, or any judgment rendered by, any court outside of the United States of America, its territories or possession, or Canada, or to any action on such judgment wherever brought.

PRISM's liability under Coverage Agreement I.B. includes **bodily injury or occupational disease** to the master and members of the crew of a vessel, subject to the following:

- A. The **bodily injury or occupational disease** must occur in the territorial limits of, or the operation of a vessel sailing directly between the ports of the Continental United States of America, Alaska, Hawaii, or Canada.
- B. This coverage does not apply to:

1. **bodily injury** or **occupational disease** covered by a protection and indemnity coverage or similar policy issued to or on behalf of the **Covered Party**
 2. The duty to provide transportation, wages, and maintenance.
- II. **RETENTION AND INDEMNITY:** As respects **loss**, which the **Covered Party** sustains as a result of each **occurrence**, the **Covered Party** shall retain **loss** in the amount of the **Covered Party's** Retention specified in the Declarations, and PRISM agrees to indemnify the **Covered Party** against **loss** in excess of such Retention. Notwithstanding the application of this Memorandum to **loss** sustained by the **Covered Party** under Coverage Agreements I.A. or I.B., and regardless of the number of entities named in the Declarations, or otherwise qualifying as **Covered Parties**, the maximum amount of the **Covered Party's** Retention and the maximum limit of PRISM's indemnity hereunder shall not exceed the amounts specified in the Declarations.

DEFINITIONS

Wherever used in this Memorandum, the following definition of terms shall apply:

- I. **BODILY INJURY:** The term **bodily injury** shall include death resulting therefrom but shall not include **occupational disease**.
- II. **COMMUNICABLE DISEASE** shall mean a disease caused by an infectious organism, which is transmissible from one source to another, directly or indirectly.
- III. **COVERED PARTY** shall include all entities named in the Declarations and any related "employer" as defined by any applicable **Workers' Compensation Act**.
- IV. **EMPLOYEE:** The term **employee** shall mean, as respects liability imposed upon the **Covered Party** by the **Workers' Compensation Act** of any applicable state, any person performing work which renders the **Covered Party** liable under any **Workers' Compensation Act**, provided such person's normal employment or residence is located in California, for **bodily injury** or **occupational disease** sustained by such person.
- V. **JOINT POWERS AGREEMENT** or **AGREEMENT** shall mean the Joint Powers Agreement, as amended, creating PRISM.
- VI. **LOSS:** The term **loss** shall mean only such amounts as are actually paid by the **Covered Party** as benefits under the applicable **Workers' Compensation Act**, or in payment of amounts imposed upon the **Covered Party** by "Employers' Liability", in settlement of claims for such benefits or damages, or satisfaction of

awards or judgments for such benefits and damages, including court costs, interest upon awards or judgments, and allocated investigation, and legal expenses, but the term **loss** shall not include as expenses, salaries paid to **employees** of the **Covered Party**, nor fees and retainers paid to any service organization.

- VII. **OCCUPATIONAL DISEASE:** The term **occupational disease** shall include death resulting therefrom and cumulative injuries.
- VIII. **OCCURRENCE:** (A) All **bodily injury** sustained by one or more **employees**, as a result of a single accident or event, shall be deemed to arise from a single **occurrence**. (B) **Occupational disease** sustained by each **employee** shall be deemed to arise from a separate **occurrence**, and the **occurrence** shall be deemed to take place on the last day of the last exposure, in the employment of the **Covered Party**, to conditions causing or aggravating the disease OR the date upon which the employee first suffered disability and either knew, or in the exercise of reasonable diligence should have known, that such disability was caused by his or her employment with the **Covered Party**, whichever comes first. (C) All **occupational disease** sustained by one or more **employees** as a result of an outbreak of the same **communicable disease** shall be deemed to arise from a single **occurrence**. An outbreak of the same **communicable disease** that spans more than one coverage period shall be deemed to take place during the first such coverage period.
- IX. **WORKERS' COMPENSATION ACT:** The term **Workers' Compensation Act** shall include any separate occupational disease act, but shall not include the non-occupational disability benefit provisions of any such act. The term **Workers' Compensation Act** includes the United States Longshore and Harbor Workers Compensation Act (33 USC Sections 901-950). Coverage for **loss** shall be limited, by amount and time of payment, to the benefits, which would be available under the **Workers' Compensation Act** of the state where the injured employee is normally employed, if that law applied.

EXCLUSIONS

Liability under Coverage Agreement I.A. does not apply to:

- I. The **Covered Party's** obligation to pay salary in lieu of temporary disability benefits as required by Labor Code Section 4850 or the **Covered Party's** obligation to pay wages or salary as required by Education Code Sections 44984 and 45192, except to the extent that the **Covered Party** would be obligated to pay temporary disability benefits if Labor Code Section 4850 or Education Code Sections 44984 and 45192 did not apply;
- II. The **Covered Party's** obligations pursuant to Labor Code Section 4856;

- III. Punitive or Exemplary Damages, fines or penalties assessed against or imposed upon the **Covered Party**:
 - A. On account of **bodily injury** or **occupational disease** sustained by any **employee**; or
 - B. On account of the conduct of the **Covered Party** or any of its agents (i) in the investigation, trial or settlement of any claim for benefits under the applicable **Workers' Compensation Act** or for damages at law, or (ii) in failing to pay or delaying the payment of any such benefits or damages; or
 - C. On account of violation of any statute or regulation; or
 - D. On account of **bodily injury** or **occupational disease** intentionally caused or aggravated by the **Covered Party**; or
 - E. On account of **bodily injury** arising out of termination of employment; or
 - F. On account of **bodily injury** arising out of the coercion, demotion, reassignment, discipline, defamation, harassment or humiliation of, or discrimination against any **employee**.

Liability under Coverage Agreement I.B. does not apply to:

- I. Liability assumed by the **Covered Party** under any contractual agreement;
- II. **Bodily injury** or **occupational disease** to an employee while employed in violation of law with the actual knowledge of the **Covered Party**;
- III. Any obligation imposed by a workers' compensation, occupational disease, unemployment compensation, or disability benefits law, or any similar law;
- IV. **Bodily injury** or **occupational disease** intentionally caused or aggravated by the **Covered Party**;
- V. Loss arising out of the coercion, criticism, demotion, evaluation, reassignment, discipline, defamation, harassment, humiliation, discrimination against or termination of any **employee** or any personnel practices, policies, acts or omissions;
- VI. Fines or penalties assessed against or imposed upon the **Covered Party** on account of violation of any statute or regulation;

- VII. Loss arising out of operations for which the **Covered Party** has violated or failed to comply with any Workers' Compensation Law;
- VIII. Loss arising out of operations for which the **Covered Party** has rejected any Workers' Compensation Law;
- IX. Punitive or Exemplary Damages, fines or penalties assessed against or imposed upon the **Covered Party**:
 - A. On account of **bodily injury** or **occupational disease** sustained by any **employee**; or
 - B. On account of the conduct of the **Covered Party** or any of its agents (i) in the investigation, trial or settlement of any claim for benefits under the applicable **Workers' Compensation Act** or for damages at law, or (ii) in failing to pay or delaying the payment of any such benefits or damages; or
 - C. On account of violation of any statute or regulation; or
 - D. On account of **bodily injury** or **occupational disease** intentionally caused or aggravated by the **Covered Party**; or
 - E. On account of **bodily injury** arising out of termination of employment; or
 - F. On account of **bodily injury** arising out of the coercion, demotion, reassignment, discipline, defamation, harassment or humiliation of, or discrimination against any **employee**.

CONDITIONS

- I. **PREMIUMS:** The Board of Directors of PRISM shall assess the premium for the Excess Workers' Compensation Program to participating **Covered Parties**. Such premiums shall be calculated in accordance with Article 14 of the **Joint Powers Agreement**.
- II. **VOLUNTEERS:** This Memorandum shall apply to **loss** on account of **bodily injury** or **occupational disease** sustained by volunteer workers while acting within the scope of their duties for or on behalf of the **Covered Party**, provided that, prior to the **occurrence**, the Governing Board of the **Covered Party** has adopted a resolution as provided in Division 4, Part 1, Chapter 2, Article 2, of the California Labor Code, declaring such volunteer workers to be **employees** of the **Covered Party** for purposes of the **Workers' Compensation Act**; or provided that such volunteer workers are statutorily deemed by the **Workers'**

Compensation Act to be **employees** for the purposes of workers' compensation.

- III. ADMINISTRATION AND REPORTING OF CLAIMS: The **Covered Party** shall be responsible for the investigation, settlement, defense or appeal of any claim made or suit brought, or proceeding instituted against the **Covered Party**, and the **Covered Party** shall have the duty to give immediate notice to PRISM upon learning of any of the following:
- A. Any **occurrence** for which total incurred (paid to date plus remaining reserves) exceeds 50% of the **Covered Party's** Retention;
 - B. Any **occurrence** which causes serious injury to two or more employees;
 - C. Any **occurrence** which results in:
 - 1. A fatality;
 - 2. An amputation of a major extremity;
 - 3. Any serious head injury (including skull fracture or loss of sight of either or both eyes);
 - 4. Any injury to the spinal cord;
 - 5. Any second or third degree burn of 25% or more of the body;
 - 6. A permanent total disability as defined in the **Workers' Compensation Act** of the State of California;
 - D. The reopening of any case in which a further award might exceed 50% of the **Covered Party's** retention.

The **Covered Party** shall not make any voluntary settlement or voluntarily make a lump sum payment or commutation or one-time payment in lieu of periodic indemnity payments to **employees** or their dependents involving **loss** to PRISM except with the prior written consent of PRISM.

The **Covered Party** shall promptly forward to PRISM any requested information on individual **occurrences** claims, or cases, and shall provide such information to PRISM within thirty (30) days in a form satisfactory to PRISM, including the amounts paid and the estimated future payments or outstanding reserves.

PRISM, at its own election and expense, shall have the right to participate with the **Covered Party** in, or to assume in the name of the **Covered Party**, control over the investigation, settlement, defense, or appeal of any claim, suit, or proceeding, which might involve liability of PRISM.

- IV. SERVICE ORGANIZATION: As a condition precedent to recovery hereunder, it is agreed that the **Covered Party** will engage one or more service organizations and/or in-house staff acceptable to PRISM to perform on behalf of the **Covered Party**, and without charge to PRISM, such services as may be acceptable to PRISM during the currency of this Memorandum and until the final settlement of all claims arising out of **occurrences** which take place while this Memorandum is in force. The performance of such services shall not constitute any undertaking on behalf of PRISM, nor relieve the **Covered Party** of any of its obligations under the terms of this Memorandum.
- V. ASSISTANCE AND COOPERATION: In the event PRISM elects to participate with the **Covered Party** in, or to assume in the name of the **Covered Party**, control over the investigation, defense, or appeal of any claim, suit, or proceeding, the **Covered Party** shall cooperate to the fullest extent with PRISM and its representatives.

Upon PRISM's request, the **Covered Party** shall direct its service organization and/or other representatives to cooperate with and assist PRISM in all matters relative to such investigation, settlement, defense, or appeal.

If PRISM elects to assume control as described above, PRISM shall give written notice of such election to the **Covered Party**. Upon receipt of such written notice, the **Covered Party** shall not, except at its own cost, voluntarily make any payment, assume any obligation, or incur any expense other than such immediate medical or other services at the time of injury as are required by the **Workers' Compensation Act** or such immediate medical and surgical relief as may become imperative at the time of an **occurrence**.

- VI. LOSS PAYABLE: PRISM shall pay any **loss** for which it may be liable under this Memorandum in the following manner:
- A. As respects Coverage Agreements I.A., payment shall first be made by the **Covered Party** in accordance with the provisions of the **Workers' Compensation Act**, and PRISM shall reimburse the **Covered Party** for such **loss** periodically, at intervals of not less than one (1) month, upon receipt from the **Covered Party** of proofs of payment which is acceptable to PRISM in content and form.
 - B. As respects Coverage Agreement I.B., liability under this Memorandum with respect to any **occurrence** shall not attach unless and until PRISM's liability shall have been fixed and rendered certain either by final judgment against the **Covered Party** after actual trial or by written agreement of the **Covered Party**, the claimant, and PRISM. Such **losses** shall be due and payable within thirty (30) days after they

are respectively claimed and proven in conformity with this Memorandum.

VII. PAYMENTS THE **COVERED PARTY** MUST MAKE: The **Covered Party** shall be responsible for any payments in excess of the benefits regularly provided by the **Workers' Compensation Act**, including but not limited to those required because:

- A. of serious and willful misconduct on the part of the **Covered Party**;
- B. the **Covered Party** knowingly employs an employee in violation of the law;
- C. the **Covered Party** fails to comply with a health or safety law or regulation; however, this does not apply to recommendations promulgated by the Joint Commission for Accreditation of Health;
- D. of discharge, coercion, or discrimination against any employee in violation of the **Workers' Compensation Act**;
- E. of claims relating to or in any way arising out of California Labor Code Section 132(a);
- F. of the unreasonable delay or failure to make payments of compensation by or on behalf of the **Covered Party**, including the legal fees associated with defending resulting claims or suits;
- G. the **Covered Party** violates or fails to comply with the **Workers' Compensation Act**.

If PRISM makes any payments on behalf of the Covered Party in excess of the benefits regularly provided by the Workers' Compensation Act, the Covered Party will reimburse PRISM promptly.

VIII. SUBROGATION: In the event of any payment under this Memorandum, PRISM shall be subrogated, to the extent of such payment, to all the **Covered Party's** rights of recovery therefore, and the **Covered Party** shall execute all papers required and shall do everything that may be necessary to secure such rights. Any amount recovered as a result of such proceedings, together with all expenses necessary to the recovery of any such amount shall be apportioned as follows: PRISM shall first be reimbursed to the extent of its actual payment hereunder. If any balance then remains, said balance shall be applied to reimburse the **Covered Party**. The expenses of all proceedings necessary to the recovery of such amount shall be apportioned between the **Covered Party** and PRISM in the ratio of their respective recoveries as finally settled. If

there should be no recovery in proceedings instituted solely on the initiative of PRISM, the expenses thereof shall be borne by PRISM.

- IX. **INSPECTION AND AUDIT:** PRISM shall be permitted but not obligated to inspect the **Covered Party's** operations at any time. Neither PRISM's right to make inspections nor the making thereof nor any report thereon shall constitute an undertaking on behalf of or for the benefit of the **Covered Party** or others to determine or warrant that such operations are safe or harmful, or are in compliance with any law, rule or regulation. PRISM may examine and audit the **Covered Party's** books and records at any time during the currency hereof and until three (3) years after the final settlement of all claims or payments made on account of accident or disease occurring during the term of this Memorandum as far as such books and records relate to the subject matter of this Memorandum.
- X. **OTHER COVERAGE:** If the **Covered Party** has other coverage against a **loss** covered by this Memorandum, PRISM's coverage shall apply in excess of any other coverage.
- XI. **BANKRUPTCY AND INSOLVENCY:** In the event of the bankruptcy or insolvency of the **Covered Party** or any entity comprising the **Covered Party**, PRISM shall not be relieved thereby of the payment of any claims under this Memorandum because of such bankruptcy or insolvency.
- XII. **ASSIGNMENT:** No assignment of the **Covered Party's** interest hereunder shall be binding upon PRISM unless its consent is endorsed hereon.
- XIII. **NOTICE OR PAYMENT:** If more than one entity qualifies as a **Covered Party** under the definition of **Covered Party** or by endorsement to this Memorandum, all notices, stipulations and payments to or by the entity first named in the Declarations shall be binding upon all other **Covered Parties**.
- XIV. **CHANGE OR WAIVER:** The terms of this Memorandum shall not be waived or changed except by endorsement issued to form a part hereof, signed by a duly authorized representative of PRISM.
- XV. **CANCELLATION:** This Memorandum may be canceled by the **Covered Party** only at the end of the Memorandum Period and pursuant to the provisions of Article 20(b) of the **Joint Powers Agreement**. PRISM may cancel this agreement pursuant to the provisions of Article 21 (a)(1) and (a)(2) of the **Joint Powers Agreement** or PRISM's invoice and premium payment policy as established by the Board of Directors. This Memorandum does not apply to any **loss** as a result of any **occurrences** taking place at or after the effective date of any such cancellation.

Any return of unearned premium in the event of cancellation by PRISM shall be determined pursuant to Article 22 of the **Joint Powers Agreement**.

- XVI. ACCEPTANCE: By acceptance of this Memorandum, the **Covered Party** agrees that each of the persons, firms or organizations named in the Declarations as the **Covered Party** is, or upon learning of the necessity therefore will become, qualified to operate with the permission of the proper authorities as a self-insurer under the **Workers' Compensation Act** of California; that the statements in the application for this Memorandum are the **Covered Party's** agreements and representations; that this Memorandum embodies all agreements existing between the **Covered Party** and PRISM or any of its agents relating to this coverage; and that full compliance by the **Covered Party** with all the terms of this Memorandum is a condition precedent to PRISM's liability hereunder.
- XVII. CONFORMANCE WITH **WORKERS' COMPENSATION ACT**: Any term of this Memorandum which conflicts with any provision of the California **Workers' Compensation Act** is changed by this provision to conform to said law.

IN WITNESS WHEREOF, PRISM has caused this Memorandum to be executed and attested, but this Memorandum shall not be valid unless countersigned by an authorized representative of PRISM.

ENDORSEMENT NO. U-1

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION**

WAR AMENDATORY ENDORSEMENT

It is understood and agreed that this Memorandum shall not apply to **loss** directly or indirectly caused by, resulting from or in connection with war, invasion, acts of foreign enemies, hostilities or warlike operations (whether war be declared or not), civil war, rebellion, revolution, insurrection, civil commotion assuming the proportions of or amounting to an uprising, military or usurped power, regardless of any other cause or event contributing concurrently or in any sequence to the **loss**.

This Memorandum shall also not apply to **loss** directly or indirectly caused by, resulting from or in connection with any action taken in controlling, preventing, suppressing or in any way relating to the above.

It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.

This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date:

Memorandum No.: PRISM 20 EWC-00

Issued to: ALL MEMBERS

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. U-2

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION**

CLARIFICATION OF COVERAGE AMENDATORY ENDORSEMENT

A. It is understood and agreed that Definition VI. **LOSS** is deleted in its entirety and replaced by the following:

VI. **LOSS**: The term **loss** shall mean only such amounts as are actually paid by the **Covered Party** as benefits under the applicable **Workers' Compensation Act**, or in payment of amounts imposed upon the **Covered Party** by Employers' Liability, in settlement of claims for such benefits or damages, or satisfaction of awards or judgments for such benefits and damages, including court costs, interest upon awards or judgments, and allocated investigation, adjustment and legal expenses, but the term **loss** shall not include as expenses, salaries paid to **employees** of the **Covered Party**, nor fees and retainers paid to any service organization.

Notwithstanding the foregoing, **loss** does not include any amounts paid by the **Covered Party** as benefits, or in payment of amounts imposed upon the **Covered Party** by Employers' Liability, deriving solely from any **Covered Party's** enactment, resolution or other act establishing either a presumption of work- related illness or injury or any other expansion of benefits beyond those prescribed by the applicable **Workers' Compensation Act**. Despite any such enactment resolution or act, the **Covered Party** shall retain the burden of establishing **loss** within the Memorandum of Coverage.

It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.

This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date:

Memorandum No.: PRISM 20 EWC-00

Issued to: ALL MEMBERS

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. U-3

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION**

CARVE OUT REPORTING REQUIREMENT ENDORSEMENT

It is understood and agreed that the following is added to the **CONDITIONS** section of the Memorandum of Coverage:

XVIII. CARVE OUTS: In the event a **Covered Party** is considering entering into a labor management agreement that establishes an alternative dispute resolution process pursuant to Labor Code Section 3201.7, with one or more bargaining unit(s), to amend any portion of the Workers' Compensation claims process, that proposed carve out agreement must be submitted to PRISM for review prior to implementation. Failure to provide such documentation prior to implementation may result in the benefits provided under such carve out agreement, and any expenses related thereto, not being covered under the Memorandum of Coverage.

It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.

This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date:

Memorandum No.: PRISM 20 EWC-00

Issued to: ALL MEMBERS

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. U-4

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION**

WAIVER OF SUBROGATION ENDORSEMENT

It is understood and agreed that Section VIII. **SUBROGATION** of the **CONDITIONS** section of the Memorandum of Coverage is deleted in its entirety and replaced by the following:

VIII. **SUBROGATION**: In the event of any payment under this Memorandum, PRISM shall be subrogated, to the extent of such payment, to all the **Covered Party's** rights of recovery therefore, and the **Covered Party** shall execute all papers required and shall do everything that may be necessary to secure such rights. Any amount recovered as a result of such proceedings, together with all expenses necessary to the recovery of any such amount shall be apportioned as follows: PRISM shall first be reimbursed to the extent of its actual payment hereunder. If any balance then remains, said balance shall be applied to reimburse the **Covered Party**. The expenses of all proceedings necessary to the recovery of such amount shall be apportioned between the **Covered Party** and PRISM in the ratio of their respective recoveries as finally settled. If there should be no recovery in proceedings instituted solely on the initiative of PRISM, the expenses thereof shall be borne by PRISM.

However, in the event of any loss payment under this Memorandum for which you have waived the right of recovery in a written contract entered into prior to the loss, we hereby agree to also waive our right of recovery but only with respect to such loss.

It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.

This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date:

Memorandum No.: PRISM 20 EWC-00

Issued to: ALL MEMBERS

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. U-5

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION**

LOSSES INVOLVING MULTIPLE MEMBERS

It is understood and agreed that this Memorandum shall apply, as follows, to losses involving multiple members:

Each member's final retention allocation will be calculated based on its pro rata percentage share of the "final loss valuation" times its retention specified in the Declarations of this Memorandum. The retention specified in the Declarations of this Memorandum will be applied until the "final loss valuation" is determined, as outlined below.

The total incurred for all members in a particular tower involved in the loss will be evaluated five years from the end of the coverage period in which the loss occurs, and will be used as the "final loss valuation" for determination of the final retention and limits allocations.

If the total loss for all members in a particular tower involved in a single occurrence exceeds the maximum Program limit of indemnity, allocation of liability for the excess amount will also be determined based on each member's pro rata percentage share of the "final loss valuation".

It is further agreed that nothing herein shall act to increase P's limit of indemnity.


This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date:

Memorandum No.: PRISM 20 EWC-00

Issued to: ALL MEMBERS

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. U-6

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION**

**OFF-DUTY, OUT-OF-STATE PEACE OFFICER INJURY (AB 1749)
ENDORSEMENT**

It is understood and agreed that this Memorandum shall not apply to **bodily injury** or **occupational disease** sustained by a peace officer who was at the time of the **occurrence**:

- a. off-duty,
- b. not acting under the immediate direction of his or her employer, and
- c. outside the state of California.

However, this exclusion shall not apply to **bodily injury** or **occupation disease** sustained by a peace officer under such circumstances if:

- a. the peace officer was engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace; and
- b. prior to the **occurrence**, the Governing Board of the **Covered Party** has adopted a resolution, as provided for in California Labor Code Section 3600.2, subdivision (b)(4), accepting liability for such injury under the **Workers' Compensation Act**.

"Peace officer" for purposes of this Endorsement has the definition stated in Section 50920 of the California Government Code.

It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.


This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date:

Memorandum No.: PRISM 20 EWC-00

Issued to: ALL MEMBERS

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. 1

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT
EXCESS WORKERS' COMPENSATION**

COVERED PARTY AMENDATORY ENDORSEMENT

It is understood and agreed that the **Covered Party** is amended to include the following:

Ambrose Recreation and Park District
Arcade Creek Recreation and Park District
Arden Manor Recreation and Park District
Arden Park Recreation and Park District
Bear Mountain Recreation and Park District
Bear River Recreation and Park District
Beaumont-Cherry Valley Recreation and Park District
Belvedere-Tiburon Joint Recreation Committee
Boulder Creek Recreation and Park District
Buttonwillow Recreation and Park District
California Association for Park and Recreation Insurance, a JPA, Administrative Office (CAPRI)
Carmichael Recreation and Park District
Central Plumas Recreation and Park District
Coalinga-Huron Recreation and Park District
Conejo Recreation and Park District
Cordova Recreation and Park District
Desert Recreation District
Dunsmuir Recreation and Park District
Durham Recreation and Park District
Fair Oaks Recreation and Park District
Fulton-El Camino Recreation and Park District
Greater Vallejo Recreation District
Hayward Area Recreation and Park District
Hesperia Recreation and Park District
Highlands Recreation District
Isla Vista Recreation and Park District
Jurupa Area Recreation and Park District
La Selva Beach Recreation District
Ladera Recreation District
Lake Cuyamaca Recreation and Park District
Livermore Area Recreation and Park District
McFarland Recreation and Park District
Mendocino Coast Recreation and Park District
Mission Oaks Recreation and Park District
Monte Rio Recreation and Park District
Mt. Shasta Recreation and Parks District
North Highlands Recreation and Park District
North of the River Recreation and Park District

Orangevale Recreation and Park District
Paradise Recreation and Park District
Pleasant Hill Recreation and Park District
Pleasant Valley Recreation and Park District
Rancho-Simi Recreation and Park District
Rio Linda Elverta Recreation and Park District
Russian River Recreation and Park District
Shafter Recreation and Park District
Silverado-Modjeska Recreation and Park District
Soledad Mission Recreation and Park District
Southgate Recreation and Park District
Strawberry Recreation District
Sunrise Recreation and Park District
Tehachapi Valley Recreation and Park District
Truckee-Donner Recreation and Park District
Tuolumne Park and Recreation District Valley-
Wide Recreation and Park District Wasco
Recreation and Park District
Weed Recreation and Park District
West Side Recreation and Park District
Western Gateway Recreation and Park District

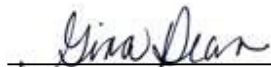
It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.

This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date: **Memorandum No.:**PRISM-PE 20 EWC-15

Issued to: California Association for Park & Recreation Indemnity

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions, and Management

Endorsement No. 1

Page 2 of 2

ENDORSEMENT NO. 2
PUBLIC RISK INNOVATION, SOLUTIONS AND MANAGEMENT (PRISM)
EXCESS WORKERS' COMPENSATION

COMMUNICABLE DISEASE AMENDATORY ENDORSEMENT

It is understood and agreed that the DEFINITIONS section of the Memorandum of Coverage is amended as follows:

Section VIII. OCCURRENCE is hereby deleted and replaced by the following:

VIII. OCCURRENCE: (A) All bodily injury sustained by one or more employees, as a result of a single accident or event, shall be deemed to arise from a single occurrence. (B) Occupational disease sustained by each employee shall be deemed to arise from a separate occurrence, and the occurrence shall be deemed to take place on the last day of the last exposure, in the employment of the Covered Party, to conditions causing or aggravating the disease OR the date upon which the employee first suffered disability and either knew, or in the exercise of reasonable diligence should have known, that such disability was caused by his or her employment with the Covered Party, whichever comes first. (C) As to any Covered Party who was a member during the July 1, 2019 to July 1, 2020 coverage period, all communicable disease sustained by one or more employees due to the outbreak of COVID-19 that began during the July 1, 2019 to July 1, 2020 coverage period shall be deemed to be a part of the same outbreak of a communicable disease that constitutes a single occurrence during the July 1, 2019 to June 30, 2020 coverage period. Otherwise, communicable disease shall be treated like any other occupational disease under Part (B) of this definition.

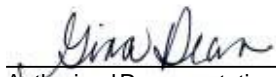
It is further agreed that nothing herein shall act to increase PRISM's limit of indemnity.

This endorsement is part of the Memorandum of Coverage and takes effect on the effective date of the Memorandum of Coverage unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date: **Memorandum No.:** PRISM-PE 20 EWC-33

Issued to: California Fair Services Authority

Issue Date: June 29, 2020



Authorized Representative
Public Risk Innovation, Solutions and Management

Agenda Item 9.8

DISCUSSION/ACTION ITEMS

SUBJECT: CAPRI BOD Meeting Calendar 2021

BACKGROUND AND STATUS:

Annually, the CAPRI Board of Directors adopts a Meeting Calendar for the upcoming calendar year. The proposed schedule is brought to the Board's attention for review, and approval in order to ensure the dates selected are appropriate and that maximum attendance can be obtained. The proposed Meeting Calendar for 2020 is as follows:

1. Wednesday, February 24, 2021
2. Wednesday, April 28, 2021 – Hyatt Regency Hotel, Monterey, CA
3. Wednesday, June 23, 2021 – Telephonic
4. Wednesday, August 18, 2021
5. Friday, November 19 & Saturday, November 20, 2021 -- Board Meeting and Strategic Planning Session

At this time, each of these dates are planned to be held either via Zoom or at the CAPRI Offices in Roseville other than the April meeting in Monterey. This schedule may be subject to changes based upon updates to public health guidance.

RECOMMENDATION:

Approve proposed Meeting Schedule for the CAPRI Board of Directors for 2020.

FISCAL IMPACT:

The number of meetings and their locations will result in additional costs for Board travel and reimbursement.

REFERENCE MATERIALS ATTACHED:

- None

Agenda Item 9.9**DISCUSSION/ACTION ITEMS****SUBJECT: Executive Director Contract Review**

BACKGROUND AND STATUS:

This matter is before the Board for consideration as part of the annual performance evaluation process for the Executive Director.

As appropriate, the Board may consider amendments to the Executive Director contract and authorization action accordingly.

RECOMMENDATION:

As appropriate, determine whether to amend the Employment Contract of the Executive Director and authorize the President of the Board to execute an amendment consistent with Board direction.

FISCAL IMPACT:

Fiscal impact would be dependent upon revisions authorized by the Board.

REFERENCE MATERIALS ATTACHED:

- None

Agenda Item 10.1

EXECUTIVE DIRECTOR/ STAFF REPORTS

SUBJECT: District Visitations Update

BACKGROUND AND STATUS:

Below please find the District Visitation Summary for Cycle XVII, along with the District Visitation Summary and History for review.

One of the many challenges of the current pandemic was ensuring the continued operation of this essential program. Of course, CAPRI's first concern is safely conducting these visits. Several Districts were closed earlier in the year due to COVID-19 and once parks and amenities started to open, District Visits started again in August. Staff has been taking preventative measures to mitigate the risk of exposure of COVID-19 by following all local, state, and CDC guidelines during the visits. Preventative measures included, but were not all limited to:

1. Wearing a face covering throughout the visit;
2. Practicing social distancing of at least 6 feet;
3. Using separate vehicles when traveling to District sites;
4. Washing hands often or using hand sanitizer;
5. Staying outdoors whenever possible throughout the visit;
6. Avoiding social physical contact (i.e. handshakes, fist bumps, etc.)
7. Conducting review of certain policies/compliance issues in advance of visit; and
8. Following all other guidelines/recommendations consistent with the County's current tier level.

There were nineteen (19) district visits completed during the months of August, September, and October of 2020. There are 8 more visits scheduled for December 2020. There are five more visits to be scheduled in the first half of Cycle XVII. We are pleased to report that Fair Oaks, Fulton-El Camino, Auburn Area, Arcade Creek, Cordova, Arden Park, Greater Vallejo, Almanor, Central Plumas, North Highlands, Mission Oaks, Rio Linda Elverta, Strawberry, Southgate, Ambrose, Pleasant Hill, and Durham all received "Excellent" on their visitation review with only a few recommendations needed. Arden Manor and The Ranch at Dairy Knoll Belvedere-Tiburon Joint Recreation Committee received a "Good."

The following is their individual evaluation scoring.

Arden Manor Recreation and Park District – August 11, 2020

Arden Creek received a **Good** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	10/14	<p><i>The District Safety Committee should meet at least quarterly with minutes of the meetings being sent to CAPRI with 30 days from the day of the meeting.</i></p> <p><i>Facilities inspections reports should be reviewed by the Committee on a regular basis.</i></p>
ADA Implementation	0/8	<p><i>The District should have a Coordinator for ADA and Section 504.</i></p> <p><i>The Coordinator is to verify the District's website is ADA accessible.</i></p> <p><i>The District should complete a Self-Assessment and have a Transition Plan in place.</i></p> <p><i>Establish procedures for good-faith interactive discussion & reasonable accommodations.</i></p> <p><i>Have a Grievance Policy and Procedures in place.</i></p> <p><i>Complete an ADA upgrade once a Self-Assessment list and Transition Plan is established.</i></p>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance	4/4	<i>No recommendations at this time.</i>

Medical Exam		
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	6/7	<i>Review sidewalks for trip and fall hazards.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	6/8	<i>Make sure the pool facility is well-maintained and in good condition.</i> <i>Maintain good circulation, filtration, and sanitation to prevent algae in the pools.</i>
Injury and Illness Prevention Program (IIPP)	3/6	<i>Have a policy in place for reporting hazards without fear of reprisal.</i> <i>Have a system in place to ensure employee compliance with safe and healthy work practices.</i> <i>Update the IIPP and review on an annual basis.</i>
Life Safety	5/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i> <i>Develop and properly display emergency evacuation plans.</i> <i>Conduct emergency drills at least annually.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	79/100	

Fair Oaks Recreation and Park District – August 25, 2020

Fair Oaks received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	8/8	<i>No recommendations at this time.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	N/A	<i>The District does not have a pool.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	92/92	

Fulton-El Camino Recreation and Park District – August 26, 2020

Fulton-El Camino received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	8/8	<i>No recommendations at this time.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	6/7	<i>Have all repairs documented.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	99/100	

Auburn Area Recreation and Park District – August 27, 2020

Auburn Area received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	8/8	<i>No recommendations at this time.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	100/100	

The Ranch at Dairy Knoll Belvedere-Tiburon Joint Recreation Committee – September 1, 2020

The Ranch received a **Good** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	4/14	<p><i>Conduct Safety Meetings that are held at no less than on a quarterly basis and minutes are timely sent to CAPRI within 30 days of the meeting date.</i></p> <p><i>Have membership representation of operations at each meeting.</i></p> <p><i>Have discussions involving a wide range of training and safety topics at each meeting.</i></p> <p><i>Have the facility inspections reviewed by the committee.</i></p> <p><i>Have the committee conduct a post-loss analysis of patron and employee accidents/near misses, if applicable.</i></p> <p><i>Have evidence of follow-through on suggested action items.</i></p> <p><i>Have the minutes accurately reflect discussions of agenda items.</i></p>
ADA Implementation	1/8	<p><i>Work with the City of Tiburon and Belvedere to make sure there is a Coordinator for ADA and Section 504.</i></p> <p><i>Make sure The Ranch’s website is ADA accessible.</i></p>

		<p><i>Work with the City of Tiburon and Belvedere to make sure they have a self-assessment and transition plan in place for each facility The Ranch uses.</i></p> <p><i>Work with the City of Tiburon and Belvedere to make sure there is a Grievance Policy and Procedures in place.</i></p> <p><i>Work with the City of Tiburon and Belvedere for upgrading facilities for ADA accessibility based on Self-Assessment indicated in the Transition Plan.</i></p>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	1/5	<p><i>The Facility Use Agreements should contain CAPRI-approved indemnification language.</i></p> <p><i>The District should have standards for when renters are required to provide a certificate of liability insurance in the amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage.</i></p>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	N/A	<i>The District does not have a pool.</i>
Injury and Illness Prevention Program	5/6	<i>Update the IIPP and review on an annual basis.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	70/92	

Arcade Creek Recreation and Park District – September 3, 2020

Arcade Creek received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	7/8	<i>Have Grievance Policy and Procedures in place.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	N/A	<i>The District did not have volunteers in 2020.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	N/A	<i>The District does not have a pool.</i>
Injury and Illness Prevention Program	5/6	<i>Update the IIPP and review on an annual basis.</i>
Life Safety	7/8	<i>Conduct emergency drills at least annually.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	80/83	

Cordova Recreation and Park District – September 9, 2020

Cordova received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	8/8	<i>No recommendations at this time.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	3/4	<i>Have Post-offer Preemployment Medical Examinations for all full-time employees.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	98/100	

Arden Park Recreation and Park District – September 10, 2020

Arden Park received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	8/8	<i>No recommendations at this time.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	N/A	<i>The District does not have volunteers.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	2/5	<i>Update Facility Use Agreements with CAPRI- approved indemnification language.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	88/91	

Greater Vallejo Recreation and Park District – September 23, 2020

Greater Vallejo received an **Excellent** evaluation.

Scoring and Recommendations:

Criteria	Score	Comments
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	7/8	<i>Establish Grievance Policy and Procedures.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	N/A	<i>The District did not have volunteers in 2020.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	5/6	<i>Review the IIPP on an annual basis.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	88/91	

Almanor Recreation and Park District – September 24, 2020

Almanor received an **Excellent** evaluation.

Scoring and Recommendations:

Criteria	Score	Comments
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	6/8	<i>Verify the District's website is ADA accessible. Establish a Grievance Policy and Procedures.</i>
Screening and Review	9/10	<i>Establish written procedures for unacceptable MVRs or loss of license.</i>
Employee Entrance Medical Exam	N/A	<i>The District does not have full-time employees.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	4/7	<i>Use inspection forms and have them site and use specific. Inspection forms should be signed and dated. All inspections forms should be reviewed by a supervisor and signed off.</i>
District Pools	N/A	<i>The District does not have a pool.</i>
Injury and Illness Prevention Program	5/6	<i>Review the IIPP on an annual basis.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	78/86	

Central Plumas Recreation and Park District – September 24, 2020

Central Plumas received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	8/8	<i>No recommendations at this time.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	99/100	

North Highlands Recreation and Park District – September 29, 2020

North Highlands received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	0/1	<i>Update and complete a detailed self-assessment of sites and facilities.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	7/8	<i>Verify the District's website is ADA accessible.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	6/7	<i>Repair or replace the poured-in-place rubber surface at Freedom Park as seen in the photo on page 29.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	N/A	<i>The District does not have a pool.</i>
Injury and Illness Prevention Program	5/6	<i>Review the IIPP on an annual basis.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	88/92	

Mission Oaks Recreation and Park District – September 30, 2020

Mission Oaks received an **Excellent** evaluation.

Scoring and Recommendations:

Criteria	Score	Comments
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	7/8	<i>Post Grievance Policy and Procedures on website.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	N/A	<i>The District does not have a pool.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	90/92	

Rio Linda Elverta Recreation and Park District – October 1, 2020

Rio Linda Elverta received an **Excellent** evaluation.

Scoring and Recommendations:

Criteria	Score	Comments
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	10/14	<i>Conduct Safety Committee Meetings no less than on a quarterly basis and send minutes to CAPRI within 30 days of the meeting date.</i> <i>Facility inspections should be reviewed by the committee on a regular basis.</i>
ADA Implementation	4/4	<i>The Coordinator should work with DAC to verify the District’s website is ADA accessible.</i> <i>The District should work with DAC to complete their self-assessment and transition plan.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>

Total	91/96	
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Strawberry Recreation District – October 6, 2020

Strawberry received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	6/8	<i>The Coordinator should verify the District's website is ADA accessible.</i> <i>Post Grievance Policy and Procedures on website.</i>
Screening and Review	8/10	<i>Maintain employee's current personal auto insurance who drive their personal vehicle for District business.</i> <i>District should have written procedures for unacceptable MVRs or loss of license.</i>
Employee Entrance Medical Exam	N/A	<i>The District should review and consider adopting a preemployment medical examination policy for those positions that are more than primarily administrative in nature (i.e. maintenance) and which have been determined to have more than limited physical requirements for lifting, carrying, etc.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	N/A	<i>The District does not have volunteers.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>

Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	83/87	

Southgate Recreation and Park District – October 8, 2020

Southgate received an **Excellent** evaluation.

Scoring and Recommendations:

Criteria	Score	Comments
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	6/8	<i>Coordinator for ADA and Section 504 should verify District's website is ADA accessible.</i> <i>Grievance Policy and Procedures should be in place.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	N/A	<i>Southgate has Worker's Compensation insurance through CAPRI and has liability and property insurance through SDRMA.</i>
Facility Use Agreement	N/A	<i>Southgate has Worker's Compensation insurance through CAPRI and has liability and property insurance through SDRMA.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>

Total	87/89	
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Ambrose Recreation and Park District – October 13, 2020

Ambrose received an **Excellent** evaluation.

Scoring and Recommendations:

Criteria	Score	Comments
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	12/14	<i>Conduct meetings no less than on a quarterly basis and send minutes timely to CAPRI within 30 days of the meeting date.</i>
ADA Implementation	7/8	<i>Grievance Policy and Procedures should be on the District's website.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	6/6	<i>No recommendations at this time.</i>
Life Safety	7/8	<i>Complete a PPE assessment through a written certification process under CCR 3380.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	97/100	

Pleasant Hill Recreation and Park District – October 27, 2020

Pleasant Hill received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	4/4	<i>The District should work with DAC to complete their self-assessment and transition plan.</i> <i>The District should work with DAC to complete their Grievance Policy and Procedures and post on their website.</i>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	8/8	<i>No recommendations at this time.</i>
Injury and Illness Prevention Program	5/6	<i>Review and have evidence of the review in the IIPP on an annual basis.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	95/96	

Durham Recreation and Park District – October 29, 2020

Durham received an **Excellent** evaluation.

Scoring and Recommendations:

<u>Criteria</u>	<u>Score</u>	<u>Comments</u>
Follow Up Items	1/1	<i>No recommendations at this time.</i>
Safety Committee	14/14	<i>No recommendations at this time.</i>
ADA Implementation	3/3	<p><i>The District should work with DAC to help verify their website is ADA accessible.</i></p> <p><i>The District should work with DAC to complete their self-evaluation and transition plan.</i></p> <p><i>The District should work with DAC to complete their Grievance Policy and Procedures and post on their website.</i></p>
Screening and Review	10/10	<i>No recommendations at this time.</i>
Employee Entrance Medical Exam	4/4	<i>No recommendations at this time.</i>
Job Descriptions	6/6	<i>No recommendations at this time.</i>
Volunteers	9/9	<i>No recommendations at this time.</i>
Agreement, Waiver and Release Form	6/6	<i>No recommendations at this time.</i>
Facility Use Agreement	5/5	<i>No recommendations at this time.</i>
Parks and Facilities	7/7	<i>No recommendations at this time.</i>
Inspection and Maintenance Program	7/7	<i>No recommendations at this time.</i>
District Pools	7/8	<i>After cleaning the pools keep a daily log of water conditions which include temperature, PH balance, movement and amount of chemicals added for that day.</i>
Injury and Illness Prevention Program	4/6	<p><i>The District should have a policy for reporting worksite hazards without fear of reprisal.</i></p> <p><i>The District should review their IIPP on an</i></p>

		<i>annual basis.</i>
		<i>The District will update their IIPP with infectious disease language.</i>
Life Safety	8/8	<i>No recommendations at this time.</i>
Legal/Employment	1/1	<i>No recommendations at this time.</i>
Total	92/95	

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- None.

Agenda Item 10.2**EXECUTIVE DIRECTOR/ STAFF REPORTS****SUBJECT: CARPD Update**

BACKGROUND AND STATUS:

CARPD recently finalized an agreement with the Hyatt Regency Monterey Hotel in Monterey, CA to host its annual Conference on April 28, 2020 - May 1, 2020. Concurrent with the planning for this event, CARPD is also preparing to make the conference meetings and sessions available online.

Additionally, CARPD Board Members have been active in facilitating monthly "Roundtable" Zoom calls with member General Managers and recently had a representative from California Department of Public Health participate in a discussion about reactivating youth sports programs.

Furthermore, Staff has been actively pursuing opportunities to review and comment on public health guidance that impacts its members. Attached is correspondence recently delivered to State leaders on behalf of the CARPD membership.

Finally, CARPD will be hosting two upcoming online events specifically geared to Board Members. On December 10, 2020, CARPD will host a Board Member Roundtable followed by a New Board Member Orientation on February 23, 2020.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- Letter from Executive Director Duarte to Governor's Office, California Department of Public Health, and California Health & Human Services Agency – October 23, 2020



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October 23, 2020

Honorable Governor Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, CA 95814

Acting Director Sandra Shewry, MPH,MSW
California Department of Public Health
P.O. Box 997377, MS 0500
Sacramento, CA 95899-7377

Secretary Mark Ghaly, M.D.
California Health and Human Services Agency
1600 9th Street
Sacramento, CA 95814

Act. St. Pub. Hlth. Off, Erica Pan, MD,MPH
California Department of Public Health
P.O. Box 997377, MS 0500
Sacramento, CA 95899-7377

RE: Role of Public Recreation and Park Districts & Youth Sports Guidance

Dear Governor Newsom, Secretary Ghaly, Director Shewry, & Director Pan:

By way of introduction, the California Association of Recreation and Park Districts (“CARPD”) represents over 60 public recreation and park districts from all over California. As public agencies charged with the important responsibility of (1) providing local recreation opportunities and (2) maintaining recreation facilities for communities throughout the State, we respectfully request the opportunity to participate in the development of any public health guidance that may relate to youth sports and/or review any draft guidance and provide comments from our professionals.

Our experienced parks and recreation professionals serve millions of Californians on a daily basis and we want you to know that we are available to offer our knowledge and expertise with respect to the logistics of re-engaging youth recreation in a safe and healthy way. Moreover, we have also been in regular contact with sister agencies in neighboring States and can speak to their recent experiences and lessons learned in their localities.

Most significantly, we want to be a partner in ensuring that the safety plans developed by the State are successful. To help accomplish that goal, it is imperative that future guidance consider the practical challenges currently facing our member agencies since diminished revenues from a lack of programming have forced agencies to significantly reduce staffing. Any re-opening guidelines should consider the fiscal impact on local governments; particularly, when considering the role public recreation and park districts will play in delivering youth sports.

Since the outset of this public health crisis, our agencies have stayed abreast of the guidance developed by the California Department of Public Health (“CDPH”). We know and understand the guidance well, having been charged with implementing its standards and applying it across all of our recreational offerings for both young and old.

CDPH Risk Factors re: Transmission of COVID-19

With respect to youth sports, in particular, we are mindful of the 8 factors identified by the CDPH that serve to reduce the risk of transmitting COVID-19. To that point, we have identified several risk mitigation strategies for consideration that attempt to address each of those 8 factors:

- **Number of people in a location**
 - *Risk mitigation strategies:*
 - Consideration of number of participants
 - Guidance with respect to number of spectators
 - Guidance with respect to proximity between spectators
 - Guidance with respect to capacity for recreation facilities
 - Consideration of reservation/scheduling guidance to limit overlapping uses and large gatherings
- **Type of location (indoor versus outdoor)**
 - *Risk mitigation strategies:*
 - Distinction in guidance for Outdoor vs. indoor activities
 - Tiered system of activities?
- **Distance between people**
 - *Risk mitigation strategies:*
 - Consideration of Frequency of contact
 - Consideration of Intensity of contact
 - Consideration of number of participants
 - Guidance with respect to number of spectators
 - Guidance with respect to proximity between spectators
 - Consideration of reservation/scheduling guidance to limit overlapping uses and large gatherings
- **Length of time at a location**
 - *Risk mitigation strategies:*
 - Guidance on time limits for activities
 - Consideration of reservation/scheduling guidance to limit overlapping uses and large gatherings
- **Physical Contact between people**
 - *Risk Mitigation strategies:*
 - Consideration of Frequency of contact
 - Consideration of Intensity of contact
 - Consideration of number of participants
 - Guidance with respect to number of spectators
 - Guidance with respect to sufficient distancing between spectators
 - Guidance with respect to capacity for recreation facilities
- **Touching of shared objects**
 - *Risk mitigation strategies:*
 - Identify activities that do not require shared equipment
 - Identify activities that require shared equipment
 - Identify activities that require shared equipment that can be regularly and thoroughly cleaned and disinfected

- Identify activities that require shared equipment that cannot be regularly and thoroughly cleaned and disinfected
- **Use of face coverings**
 - *Risk mitigation strategies:*
 - Guidance for face coverings for coaches
 - Guidance for face coverings for spectators
- **Mixing of people from locations**
 - *Risk mitigation strategies:*
 - Guidance on limits for travel to games, scrimmages, and competitions

We would welcome the opportunity to discuss these proposed strategies further and what role recreation and park districts will play in protecting and promoting the public health. Notably, while recognizing the importance of adopting risk mitigation strategies we also recognize that our agencies do not have the resources nor the training to ensure the users are following State guidelines. Thus, we submit that we are not well-positioned to enforce compliance with any recommended public health guidance.

As such, our agencies understand that our best path to success must entail a *collaborative effort with the users themselves*. To that end, we believe it important that user groups commit to the following:

- (1) Assume a role in developing individualized safety plans for their groups,
- (2) Communicate those safety plans to the players, parents, guardians, and all spectators,
- (3) Ensure compliance within their groups, and
- (4) Accept legal responsibility for the actions of their groups in the event of non-compliance (i.e. obtain and produce evidence of liability insurance that covers outbreaks and exposure to communicable diseases and viruses).

In conclusion, we would reiterate our request to review and comment upon any proposed public health guidance and we also restate our offer to support your efforts by utilizing our experience and expertise in the development of public health guidance for youth sports. We appreciate and respect the State's science-driven approach to keeping our communities safe and securing the public health and we believe we can be an important resource in creating a workable framework for California. Please feel free to contact us to further discuss via phone at 916-722-5550 or email at mduarte@capri-jpa.org.

Sincerely,



Matthew Duarte, Esq.
Executive Director

cc: CARPD Board of Directors

Agenda Item 10.3

EXECUTIVE DIRECTOR/ STAFF REPORTS

SUBJECT: CAPRI Staff Update

BACKGROUND AND STATUS:

In response to COVID-19, CAPRI Staff has been diligent in complying with relevant local health guidance in the workplace. This has included maintaining a quasi-remote schedule for staff, increasing sanitation practices in the office, and wearing face coverings in common areas in order to limit potential exposure. Staff will continue to monitor State and local guidance and will report any significant changes to the Board.

CAPRI's new Administrative Analyst, Monica Breck, joined the team on October 5, 2020. Please join us in welcoming Monica to CAPRI!

Finally, CAPRI Staff recently attended the "Pooling Today" online training event produced by AGRiP, CAJPA, and NLC-RISC on October 14th and 15th. The morning trainings proved a valuable opportunity to learn more about emerging issues in the risk pooling community.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- None.

Agenda Item 10.4**EXECUTIVE DIRECTOR/ STAFF REPORTS****SUBJECT: CAPRI Board Election Update**

BACKGROUND AND STATUS:

As you may recall, the At Large positions were on the ballot this year and we received a total of 38 votes representing a 58% voter turnout from the membership. The final tallies resulted in two winners and the results were as follows:

Dean Wetter – Valley-Wide	32
Jill Nunes -- Cordova	15
Mat Fuzie -- Livermore	14
James Blocker – Hesperia	6
Scott Holbrook – Auburn	5

The 4-year terms for Mr. Wetter and Ms. Nunes will begin January 1, 2021 and run through December 31, 2024.

Regrettably, these results mean that Director Fuzie's term will come to an end this year. We know he was a valuable contributor to our Board and is a respected leader in the profession. Please join Staff in thanking Director Fuzie for his time and contributions these past two years.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

None.

Agenda Item 10.5

EXECUTIVE DIRECTOR/ STAFF REPORTS

SUBJECT: ADA Compliance Program & Training Update

BACKGROUND AND STATUS:

In October, Staff and DAC rolled out the announcement of the ADA Compliance Program along with two scheduled online trainings.

The training was a two-hour session conducted by Mr. Tim Mahoney and Ms. Barbara Thorpe with DAC. All told, ninety-four (94) attendees participated in the training representing forty-seven (47) member districts.

Staff is continuing to work with DAC to ensure a successful rollout and maximum participation.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

None.

Agenda Item 10.6**EXECUTIVE DIRECTOR/ STAFF REPORTS****SUBJECT: CAPRI Website Update**

BACKGROUND AND STATUS:

Last year, CAPRI transitioned over to a new website platform with Streamline. However, at the time Streamline did not have the capability to deliver a members-only site where CAPRI could share certain confidential and proprietary documents relating to processing claims. This prevented CAPRI from full capitalizing on the benefits of its website.

Fortunately, Streamline recently developed a new product, Portals, that may allow CAPRI to fill that gap in its service to the members. CAPRI has been exploring this service and developed a test model. Staff will further present on the progress of this potential offering at the meeting.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

None.

Agenda Item 10.7**EXECUTIVE DIRECTOR/ STAFF REPORTS****SUBJECT: News of Note**

BACKGROUND AND STATUS:

Staff regularly collects recent articles, academic papers, District reports, etc. that relate to the business of CAPRI and that may be of interest to the Board and/or the membership.

RECOMMENDATION:

Information only.

REFERENCE MATERIALS ATTACHED:

- "Business Interruptions Claims Amid COVID" – New York Law Journal/law.com; October 2, 2020
- "The Future of ADR, Post-COVID_ Personal Musings From a Neutral" – NAM (National Arbitration and Mediation) - JDSupra; November 4, 2020
- "Top California health official promises new guidance soon for high school, youth sports competition" – Orange County Register; November 10, 2020

Business Interruptions Claims Amid COVID: Wins, Losses and How to Move Forward

By **Caroline Morgan** | October 02, 2020 at 03:35 PM

Since the inception of COVID-19 and the state shutdown orders that followed, businesses have filed hundreds of lawsuits against their insurers seeking coverage for lost revenue and other business interruption losses. In the ensuing six months we have seen a handful of court decisions mostly favoring insurers but with some policyholder wins.

On the opposite side of the spectrum, states continue to propose legislation that would require insurers who provide property insurance to cover business interruption during the coronavirus pandemic. As businesses reopen and the country braces for a potential second wave, insurers and policyholders alike can learn from these early legal developments and proactively respond to business interruption.

Insurers v. Policyholders

To appreciate the initial court rulings and proposed laws it is worthwhile to first visit what insurers and policyholders disagree about with business interruption coverage.

Generally, property insurance provides coverage for physical loss or damage to an insured's property. The business interruption insurance parts of these policies cover revenue loss from a covered event. Such policies typically require a direct relationship between the underlying physical loss or damage and the loss of income.

Insurers argue the coronavirus is not a direct physical loss or damage to the insured property and even if it were, exclusions like those for virus or bacteria bar coverage. On the other hand, policyholders maintain the coronavirus caused physical damage to their premises, policies cover shutdown orders, and exclusions are not on point.

Considering the above, it is unsurprising most court decisions on business interruption coverage center on whether a policyholder alleges direct physical loss.

Alleging Direct Physical Loss is Key

Most of the initial court decisions found policyholders failed to adequately allege COVID-19 caused a direct physical loss to their insured premises which is a prerequisite to coverage. That said, at least one court has ruled in favor of policyholders and permitted the case to move forward to discovery. Though each case has its own policy language, applicable law, and underlying facts, their review can be instructive for future litigation.

Wins for Insurers

Courts in California, Michigan, the District of Columbia, and Texas have granted summary judgment to insurers or dismissed complaints finding policyholders failed to adequately allege direct physical loss to their business from COVID-19. Similarly, in New York, a judge stated during oral argument that a policyholder failed to demonstrate physical loss (the insured withdrew its complaint before a formal decision). Although every policy is different the following cases demonstrate legal challenges businesses could face.

Restaurant owners in *Rose's 1, LLC et al. v. Erie Insurance Exchange*, Case No. 2020 CA 002424 B, sued their insurer for losses following shutdown orders. Washington, D.C. Superior Court Judge K. Higashi granted the insurer's motion for summary judgment finding the property insurance policy did not provide business interruption coverage where shutdown orders did not direct any physical change to the restaurants and the policyholders provided no evidence that COVID-19 was at their properties when they were forced to close.

Similarly, restaurant owners in *Gavrilides Management Co. et al. v. Michigan Insurance Co.*, Case No. 20-258-CB-C30, filed in the Thirtieth Judicial Circuit Court of Ingham

County, Michigan, did not allege the coronavirus was at their premises but argued shutdown orders satisfied the policy's physical loss requirement by physically limiting their dine-in service. Judge J. Draganchuk granted the insurer's summary judgment motion finding the allegations on shutdown orders are not physical loss which is "something with material existence, something that is tangible, something...that alters the physical integrity of the property."

Another restaurant also failed to persuade a judge that a ban on in-person dining was physical damage. In *10E, LLC v. Travelers Indemnity Co. of Connecticut et al.*, Case No. 2:20-cv-04418, Judge S. Wilson of the U.S. District Court for Central California dismissed the restaurant's lawsuit citing caselaw finding physical loss is a "distinct, demonstrable, physical alteration."

Barbershops met a similar fate in Texas in *Diesel Barbershop, LLC et al. v. State Farm Lloyds* Case No. 5:20-cv-461, where United States District Court Judge D. Ezra dismissed their complaint seeking coverage for losses from shutdown orders noting that they failed to plead a direct physical loss and that even if they had, the policy's virus exclusion applies.

Finally, in New York, in *Social Life Magazine, Inc. v. Sentinel Insurance Company Limited*, Case 1:20-cv-03311, United States District Court Judge V. Caproni orally denied a publisher's motion finding it failed to demonstrate a probability of success on the merits because it was unlikely to show damage to its property. Notably during oral argument, the policyholder's counsel argued "the virus exists everywhere" to which the judge responded "It damages lungs. It doesn't damage printing presses."

Wins for Policyholders

Not every case has favored insurers. A judge in Missouri recently permitted policyholders to proceed to discovery after denying an insurer's motion to dismiss

finding they adequately alleged they suffered a direct physical loss and access to their businesses was prohibited by shutdown orders.

Operators of hair salons and restaurants sued their insurer in *Studio 417, Inc., et al. v. The Cincinnati Insurance Company*, Case No. 20-cv-03127, after sustaining losses from shutdown orders. District Court Judge S. Bough found that the businesses adequately alleged a direct physical loss by pleading a causal relationship between COVID-19 and their losses. Specifically, the businesses alleged COVID-19 “is a physical substance,” that it “live[s] on” and is “active on inert physical surfaces,” and is “emitted into the air.” Further that it attached to their property making it “unsafe and unusable, resulting in direct physical loss to the premises and property.” Additionally, even though the shutdown orders permitted take-out and delivery, because they prohibited inside dining the judge ruled the policyholders plausibly alleged access was prohibited to such a degree that coverage was triggered.

Aside from coverage litigation, another significant legal development is proposed legislation requiring insurers to provide coverage as discussed below.

Mandatory Business Interruption Coverage

As the COVID-19 pandemic continues, more states are introducing proposed bills mandating coverage for business interruption. California, Louisiana, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina and the District of Columbia introduced such legislation that generally require carriers insuring against loss or damage to property to cover business interruption during a declared state of emergency due to COVID-19 even if an exclusion applies.

To date none of the bills are law but if they were they are likely to face challenges for violating the contracts clause, the due process clause, and the takings clause of the U.S. Constitution. Given their benefits to insureds and burdens on insurers, tracking the proposed legislation is helpful for both.

Actions Policyholders Can Take Now

If there is coverage either through litigation or legislation, policyholders can be proactive by collecting documents to support their loss. Business interruption claims may generally be supported by demonstrating the financial health of a business before and after COVID-19, including profit and loss statements, tax returns, bank statements, expense reports, and budgets.

In addition, a business considering making a claim to its carrier should review their policy to determine when and how to provide notice. Generally, policies include a time frame when notice must be made and failing to meet this could bar an otherwise covered claim.

Considerations for Insurers

Insurers should consider their claims handling and reinsurance in addition to the above legal developments. Policyholders are suing insurers for bad faith where carriers issue denials of coronavirus related business interruption claims without conducting any investigation, some the same day they receive a claim. Carriers that evaluate each claim based on the underlying facts, policy language, and applicable law can mitigate their exposure to recoveries that can go beyond the policy benefits.

A second consideration for insurers is their reinsurance. Before an insurer makes a commercial payment to an insured, it should consider that reinsurance policies generally do not require reinsurers to pay claims that are ex-gratia or not covered by the insurance policy. Similarly, carriers can benefit from reviewing their reinsurance policy including any follow-the-fortunes and follow-the-settlements clauses in connection with a claim payment or settlement of coverage litigation.

Takeaway

While businesses and the insurance industry continue to navigate the coronavirus, initial court rulings demonstrate the importance of establishing direct physical loss to insured

premises in business interruption claims. It is too early to tell whether state legislatures will succeed in enacting a first-of-its-kind law mandating coverage of coronavirus business interruption losses, but either way following their development is key to businesses and insurers alike.

As we near flu season and suggestions of a second wave are already trickling in, insureds and insurers can learn from these legal developments and take proactive steps from supporting their loss to visiting their reinsurance policies to achieve the best outcomes in coronavirus business interruption claims.

Caroline Morgan is a partner with Culhane Meadows. Her practice includes insurance and privacy, data and cybersecurity law.

<https://www.law.com/newyorklawjournal/2020/10/02/business-interruptions-claims-amid-covid-wins-losses-and-how-to-move-forward/>

November 4, 2020

The Future of ADR, Post-COVID: Personal Musings From a Neutral

Hon. Larry Schachner (Ret.)

NAM (National Arbitration and Mediation)

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Contact



These past several months have certainly been a challenge, to say the least. Lock downs, face masks, heroic doctors, hospital workers, and first responders, sickness, death, shuttered businesses, and furloughed workers all around us. It has been a long hard road for many. In the world of Alternative Dispute Resolution (ADR), it has been the era of virtual hearings through Zoom. Since March, like many of us, I have been working from home, conducting Zoom mediations and arbitrations for NAM (National Arbitration and Mediation). In my experience, I have seen virtual mediations gradually increase this past spring and then witnessed a strong uptick in the number of virtual hearings through the summer and fall.

As my teenage children can attest, I am technologically challenged. So, at the onset, my technological aptitude was worrisome. Well, those worries are long gone. As most of us have figured it out, and with a little help from NAM's IT Department, I have learned to share my screens with the other participants in the mediation or arbitration process. Virtual ADR has been a godsend for attorneys, the courts and my fellow mediators. While I look forward to the return of in-person hearings, in my view, Zoom has provided the perfect platform for ADR. In fact, I believe we will be continuing to use it even after things return to "normal". Virtual ADR is here to stay, but it will also become a valued supplement to in-person arbitrations and mediations.

Virtual ADR – saving time and money

Attorneys and carrier's representatives have acclimated themselves to virtual ADR. My colleagues have done the same. The general consensus – Virtual ADR, for the foreseeable future, will remain an effective way of resolving disputes and hopefully by spring, we will be able to mediate and arbitrate in-person.

Over the past few months, I have presided over arbitrations with witnesses testifying from as near as New York, New Jersey and Florida and as far away as Ghana and Kazakhstan. I have negotiated settlements with insurance adjusters and defense counsel in California, Georgia, Massachusetts and Nebraska. That's a lot of time and money saved for all concerned.

Recently and quite remarkably, I had a plaintiff attorney tell me that through Virtual ADR and virtual court conferences, he was able to cover three counties, conduct a mediation, and was finished by early afternoon. That kind of productivity can be invaluable.

Virtual ADR is easy to manage, a productive saver of time, money and resources. and has now become the new normal.

Backlog in the courts, jury trials a long way off

Needless to say, the pandemic has caused a tremendous backlog in the spoken with have informed me that some judges are even conducting c both sides consent. Jury trials are a long way off, as potential jurors wi advanced as Zoom is, I don't think virtual jury trials are imminent. Sor

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type of hybrid system. These experiments have raised other issues regarding the make-up of potential jury pools, and due process concerns.

The logjam of potential jury trials appears to be insurmountable and will take years to get through. This will be made even worse by the court system recently eliminating Certifications for Supreme Court Judges. Many of these Judges were some of the most productive jurists in the court system, and some counties are losing from six to eight judges. This is a budgetary measure, and I predict the cuts will get deeper and make the situation even worse in the short term, and will devastate some counties, as case inventories skyrocket leaving the remaining judges to preside over an unmanageable caseload.

The Solution

The current situation calls for continued and increased use of virtual ADR in the short term, and when permissible, the return of in-person mediations and arbitrations.

ADR can assist the bench and the bar to begin digging out from the overwhelming backlog of cases caused by the pandemic. For the most part, over the past several months, I have seen both sides negotiating in good faith despite everyone's uncertainty as to when a case will be reached for trial. I believe defense counsel, the insurance companies, and plaintiff attorneys should be commended for the way they have conducted themselves and their willingness to negotiate equitably given the circumstances. I anticipate that this "good faith" negotiation will continue, and I look forward to seeing counsel virtually, in the near future, and when the time is right, in-person, when we are able to sit across the table from one another and negotiate a fair settlement.


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Top California health official promises new guidance soon for high school, youth sports competition



Mission Viejo head coach Chad Johnson keeps an eye on players during practice in Mission Viejo, CA, on Wednesday, October 21, 2020. Due to the coronavirus (COVID-19) outbreak, all the school's football teams are working out together in small pods. (Photo by Jeff Gritchen, Orange County Register/SCNG)

By **DAN ALBANO** | dalbano@scng.com | Orange County Register

PUBLISHED: November 10, 2020 at 4:56 p.m. | UPDATED: November 11, 2020 at 5:33 a.m.

The secretary of the California Health and Human Services Agency delivered on Tuesday, Nov. 10, at least a partial update that many in the high school and youth sports communities have been longing to hear.

Dr. Mark Ghaly said during a teleconference with reporters that new guidelines for competition in high school and youth sports will be coming “soon” and revealed that a county’s standing in the state COVID-19 tier system could determine what type of competition is allowed.

“We are working closely with CIF and other youth sports leaders, interscholastic sports leaders, to ensure that we are aligned in the guidance,” said Ghaly, whose agency oversees the guideline-producing California Department of Public Health.

“It will provide clarity as to when competition can take place.”

Ghaly discussed a timetable for the guidelines in general terms when he addressed youth sports in California amid the pandemic. Youth and high school sports have been limited since Aug. 3 to conditioning and skill work and prohibited from competition.

He also mentioned potential guidelines on Oct. 20, prompting many in the high school and youth sports community to wonder about a timetable.

“We are close,” he said of the guidelines. “These are not easy guidances to put together. There’s not just the competition issue, but there’s the conditioning issue. There’s understanding how we continue to drive through our equity lenses to make sure that there’s important, broad access to all of these opportunities. ... I hope that we find a way to hold on a little longer.”

The Sacramento-based CIF State office, which oversees more than 800,000 high school athletes across the state, announced July 20 that its first competition start dates would be pushed back four months to mid-December.

In the Southern Section, the largest section in the state, boys volleyball is scheduled to kick off the revised sports calendar on Dec. 12 with football practices starting Dec. 14.

The L.A. City Section also has targeted practices beginning on Dec. 14 but is considering revamping its fall schedule, Commissioner Vicky Lagos said Tuesday. The Los Angeles Unified School District, a major part of the L.A. City Section, began athletic conditioning on Monday, Nov. 9.

CIF State commissioner Ron Nocetti didn't want to speculate on what Ghaly's comments could mean for the high school calendar, but he remained grateful to be part of the efforts to bring back competition.

"I appreciate them working to include us in the conversation," he said of state health officials. "Until we hear otherwise, (our calendars are) our plans. Our schools need to prepare for that."

Ghaly also addressed speculation that a county's standing on the state's COVID-19 tier system could determine the level of activity allowed in high school athletics. Orange County, for example, remains in the red tier (substantial risk) while Los Angeles, Riverside and San Bernardino are in the purple tier (widespread risk).

"With lower degrees of transmission, either generally across the state or in specific regions or counties in the state, there is tolerance for additional — even some of the higher-risk sports — to occur, not just from the conditioning but the competition perspective," Ghaly said.

"And when we're seeing high rates of transmission or counties that have been in the purple and even the red tiers longest, that they may not have as many of the higher risk sports return right away. But all of this will be released soon. (We're) working through some of those final details."

The National Federation of State High School Associations (NFHS) has classified sports such as football, wrestling, boys lacrosse and competitive cheers as higher risk sports in its guidance for reopening high school athletics.

It's not clear whether state health officials will follow the NFHS guidelines on assessing the risk of sports.

CIF-SS commissioner Rob Wigod said on Monday, Nov. 9, that it's been frustrating waiting to learn what type of athletics might be allowed in a specific tier. But the wait could soon be over.

"We're looking forward to seeing their updated guidance," Nocetti said.

Mina Rose, a parent of a soccer player at Mater Dei High, remained frustrated after Ghaly's comments. She cited California families in club soccer and baseball traveling to Arizona to play games. She fears more delays are ahead for youth and high school sports in California.

“I can go to the gym, hot yoga but my daughter can’t play soccer (games) outdoors,” she said. “It’s frustrating because they’re not stopping people from playing. They’re just driving parents crazy.”

Ghaly sympathized with parents and addressed out-of-state travel.

“Moving into states and other areas with higher transmission is risky,” he said. “We want to find ways to discourage people from traveling long distances to play other teams, to play local teams, because it’s allowed there.

“We know that these are difficult times. We are working to make sure that we have solutions.”