

# AGENDA

## NORTHERN ORANGE COUNTY SELF-FUNDED WORKERS' COMPENSATION AGENCY

### SPECIAL BOARD OF DIRECTORS MEETING

April 3, 2015  
10:00 A.M.

**CONFERENCE CALL**  
**(888) 387-6038**  
**Participant Code: 8768344**

**Conference Call Instructions:**

1) Enter call-in number (888) 387-6038. 2) Enter Participant Code 8768344 and #. 3) State your name and enter #.

---

**I. CALL TO ORDER**

---

**II. ROLL CALL**

**OFFICERS**

CENTRALIA SCHOOL DISTRICT  
CYPRESS SCHOOL DISTRICT  
COASTLINE ROP

Mark Schiel, President  
Tim McLellan, Vice President  
Lynn Simmons, Secretary/Treasurer

**MEMBERS**

BUENA PARK SCHOOL DISTRICT  
GASELPA  
LA HABRA CITY SCHOOL DISTRICT  
LOS ALAMITOS UNIFIED SCHOOL DISTRICT  
MAGNOLIA SCHOOL DISTRICT  
NORTH ORANGE COUNTY ROP  
SAVANNA SCHOOL DISTRICT  
SOUTH COAST ROP  
WESTMINSTER SCHOOL DISTRICT

Kelvin Tsunozumi  
Kathleen Thomason  
Carol Argomaniz  
Patricia Meyer  
Alejandro Flores  
Howard Burkett  
Eric Fano  
Pati Romo  
Sandy Poteet

**MANAGER**

KEENAN & ASSOCIATES

Greg Trapp  
Toni Brady  
Zee Morales

---

**III. APPROVAL OF AGENDA**

**ACTION**  
**14/15-041**  
**Page 1**

The Authority retains the right to change the order in which agenda items are discussed. Subject to review by the Authority, the agenda is to be approved as presented. Items may be deleted or added for discussion only according to G.C. § 54954.2.

PUBLIC COMMENTS  
BOARD CONSIDERATION

---

**IV. ADMINISTRATION**

**ACTION**  
**14/15-042**  
**Pages 2-4**

**SPECIAL REQUEST REGARDING ARTICLE IX  
OF NOC SF WCA BYLAWS**

The Board will discuss Magnolia School District's request for one-time exception to Article IX – Withdrawal from or Termination of Membership for action.

PUBLIC COMMENTS  
BOARD CONSIDERATION

---

**V. INFORMATION REPORTS**

**MEMBER COMMENTS:**

Each Committee member may report about various matters involving the Agency. There will be no Board discussion except to ask questions or refer matters to staff, and no action will be taken unless listed on a subsequent agenda.

**MANAGER COMMENTS:**

The Manager will report to the Board about various matters involving the Agency. There will be no Board discussion except to ask questions or refer matters to staff, and no action will be taken unless listed on a subsequent agenda.

**OTHER COMMENTS:**

The public may address the Board on any matter pertaining to the Agency that is not on the agenda. The President reserves the right to limit the time of presentations by individual or topic.

---

**VI. AGENDA ITEMS NEXT MEETING**

Members and others may suggest items for consideration at the next meeting, which will be held on April 22, 2015 at 1:30 pm at Cypress School District, Los Alamitos, CA. Regularly scheduled agenda items are:

- Review of Capital Target Policy
- Financial Report
- Actuarial Study
- STOP Program

## VII. ADJOURNMENT

### Americans with Disabilities Act:

Northern Orange County Self-Funded Workers' Compensation Agency conforms to the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof. A request for disability-related modifications or accommodation, in order to participate in a public meeting of the Northern Orange County Self-Funded Workers' Compensation Agency, shall be made to: Toni Brady, Sr. Account Manager, Keenan & Associates, 901 Calle Amanecer, Suite 200, San Clemente, CA 92673 (949) 940-1760, extension 5186.

**NORTHERN ORANGE COUNTY  
SELF-FUNDED WORKERS' COMPENSATION AGENCY**

---

PRESENTED TO:

DATE:

April 6, 2015

Board of Directors

---

SUBJECT:

ITEM #:

14/15 – 041

Approval of Agenda

Enclosure:

Yes

---

Category:

Approval of Agenda

Prepared by:

Keenan & Associates

Requested by:

Board of Directors

---

**BACKGROUND:**

Under California Government Code Section §54950 the “Legislative Body” is required to post an agenda detailing each item of business to be discussed. The Authority posts the agenda in compliance with California Government Code Section §54954.2.

**STATUS:**

Unless items are added to the agenda according to Government Code §54954.2 (b) (1) (2) (3) the agenda is to be approved as posted.

**RECOMMENDATION:**

Subject to changes or corrections, the agenda is to be approved as submitted.

**NORTHERN ORANGE COUNTY  
SELF-FUNDED WORKERS' COMPENSATION AGENCY**

---

PRESENTED TO:	DATE:	April 22, 2015
Board of Directors		

---

SUBJECT:	ITEM #:	14/15 – 042
Special Request Regarding Article IX of NOC SF WCA Bylaws	Enclosure:	Yes

---

Category:	Administration
Prepared by:	Keenan & Associates
Requested by:	Board of Directors

---

**BACKGROUND:**

Magnolia School District has submitted a timely Provisional Notice of Withdrawal to the Northern Orange County Self-Funded Workers' Compensation Agency. The Bylaws state that if a member submits notice and ultimately remains with the Agency, that member may not submit another notice for two years. Magnolia School District is requesting that the Board grant a one-time exception, which will allow them the option to submit a Provisional Notice of Withdrawal again next program year.

**STATUS:**

The Board will discuss Magnolia School District's request for one-time exception to Article IX - Withdrawal from or Termination of Membership.

**RECOMMENDATION:**

For action.

## ARTICLE IX

### WITHDRAWAL FROM OR TERMINATION OF MEMBERSHIP

- A. Any member having completed a minimum of thirty six (36) months may withdraw from its status as a member and party to the Joint Powers Agreement at the end of any fiscal year by notifying the Authority, in writing together with a copy of the Board resolution or meeting minutes authorizing such action, prior to December 31st of that fiscal year. If a member submits their provisional notice and subsequently decides to remain in the Authority, that member shall not be allowed to submit any type of withdrawal notice for at least two years.
- B. The Member filing the notice of withdrawal shall notify the Authority in writing, together with a copy of the Member's Board resolution or meeting minutes authorizing such action, sixty (60) days prior to the end of the **Program Year** as to its final decision to leave the Authority. Failure to comply with the notification requirements and subsequent departure from the Authority shall result in a 25% surcharge of the former Member's final **Program Year** Contribution.
- C. The final notice of withdrawal is binding and irrevocable. Any member withdrawing from the Authority shall not be eligible to reapply for membership for a period of three (3) years.
- D. The incurred claims, incurred but not reported claims, and all Contributions of the withdrawing Member shall stay with The Authority. The withdrawing Member shall continue to participate in each of the **Program Years** for which they were a Member, per Article IV, Paragraph E, of these Bylaws. The allocation of assets and **Obligations** as per Article IV, Paragraph E, that were in effect for those years the withdrawing Member was a Member shall continue to stay in effect until those years are closed and clear of assets and/or **Obligations**.
- E. A Member may be involuntarily terminated from The Authority upon a two-thirds (2/3) vote of the Members present at a Board of Directors' meeting. Involuntary termination shall have the effect of eliminating the party as a signatory of the Joint Exercise of Powers Agreement and as a Member of The Authority, effective at the end of the fiscal year in which the action is taken or upon such other date as the Board of Directors may specify, but in no case less than sixty (60) days after written notice of involuntary termination is given. The responsibility and participation of an involuntarily terminated Member shall be the same as stated in Paragraph B of this article.

- F. Grounds for involuntary termination include, but are not limited to, the following:
1. Failure to refusal to abide by the Agreement or Bylaws.
  2. Failure or refusal of a Member to abide by an amendment which has been adopted by the Members of The Authority as provided in the Agreement or these Bylaws.
  3. Failure or refusal to pay Contributions or assessments to The Authority as provided in the Agreement or Bylaws.
  4. Failure to comply with risk management or safety programs implemented by the Board of Directors.
  5. Failure of a Member to disclose a material fact to The Authority whereby said material fact constitutes fraud, misrepresentation or concealment for the purposes of obtaining coverage with The Authority.

## ARTICLE X

### DISPOSITION OF PROPERTY AND FUNDS

- A. In the event of the dissolution of The Authority, the complete rescission, or other final termination of the Joint Exercise of Powers Agreement by all Members or other public agencies then a party to the Agreement, any property interest remaining in The Authority following a discharge of all **Obligations** shall be disposed of pursuant to a plan adopted by the Board of Directors, with the objective of returning to each Member or other agency which is then or was theretofore a party preceding the termination of the Agreement, a Pro Rata Share of each **Program Year's** equity to which each Member was a participant. The plan adopted by the Board of Directors shall include, but not be limited to, the following:
1. Claims outstanding against, and incurred but not reported to, The Authority shall be audited and calculated by an independent auditor and actuary selected by the Board of Directors for a determination of future liabilities for expenses and costs to bring these claims to a conclusion.
  2. The current fair market value of The Authority's properties shall be determined by the Board of Directors. If a Member disagrees with the current fair value of The Authority's properties as determined by the Board of Directors, the current fair value of said properties shall be determined by an independent appraiser selected by the Board of Directors.
- B. If the Board of Directors determines a dividend or return of Contribution is to be declared, such dividend or return of Contribution shall be computed pursuant to Article IV, Paragraph E, of these Bylaws.

**NORTHERN ORANGE COUNTY  
SELF-FUNDED WORKERS' COMPENSATION AGENCY**

**CONFERENCE CALL LOCATIONS**

**SPECIAL BOARD OF DIRECTORS MEETING**

**APRIL 3, 2015**

**10:00 A.M.**

**Conference Call Instructions:**

1) Enter call-in number (888) 387-6038. 2) Enter Participant Code 8768344 and #. 3) State your name and enter #.

This meeting will be conducted by teleconferencing in accordance with Government Code Section 54953(b). Members of the public may address the Board from any teleconference location shown below:

**Buena Park School District**

6885 Orangethorpe Avenue  
Buena Park, CA 90620  
Kelvin Tsuneczumi, (714) 736-4243

**Centralia School District**

6625 La Palma Avenue  
Buena Park, CA 90620  
Mark Schiel, (714) 228-3100

**Coastline ROP**

1001 Presidio Square  
Costa Mesa, CA 92626  
Lynn Simmons, (714) 429-2220

**Cypress School District**

9470 Moody Street  
Cypress, CA 90630  
Tim McLellan, (714) 220-6941

**GASELPA**

7300 La Palma Avenue, Building 6  
Buena Park, CA 90620  
Frank Donovan, (714) 828-1766

**La Habra City School District**

500 N. Walnut Street  
La Habra, CA 90631  
Carol Argomaniz, (562) 690-2321

**Magnolia School District**

2705 W. Orange Avenue  
Anaheim, CA 92804  
(714) 761-5533, ext. 313

**North Orange County ROP**

385 N. Mueller Street  
Anaheim, CA 92801  
Terri Giamarino, (714) 502-5808

**Savanna School District**

9550 Holder Street  
Buena Park, CA 90620  
Eric Fano, (714) 236-3809

**South Coast ROP**

31522 El Camino Real  
San Juan Capistrano, CA 92675  
Pati Romo, (949) 496-3118