

BOARD OF DIRECTORS REGULAR MEETING

November 30, 2022

MINUTES

1. CALL TO ORDER:

The regular meeting of the Board of Directors was held on November 30, 2022. The Meeting was called to order by President Wetter at 12:14 p.m.

Members Present: President Dean Wetter, Secretary Colin Miller, Director Jim Friedl, Director Michelle Lacy, and Director Jill Nunes.

Members Absent: Vice President Larry Mazzuca and Director Lorena Cervantes.

CAPRI Staff Present: Executive Director Matthew Duarte, Administrative Analyst Monica Breck, and Safety Analyst Kirk Andre.

Others Present: Charles Torretta (George Hills), Mr. Wale Kajopaiye (PFM), Mr. Byrne Conley (Gibbons and Conley), Mr. Doug Wozniak (Alliant Insurance), and one member of the public.

MOTION:

Director Michelle Lacy made a motion to allow Secretary Colin Miller to participate in this Board meeting via Zoom. Director Jim Friedl seconded the motion.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

2. INTRODUCTIONS: None.

3. PUBLIC COMMENTS: None.

4. CLOSED SESSION:

The Board convened to Closed Session at 12:17 p.m.

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

- Freitas v. Durham Recreation & Park District
- Hill v. Rancho Simi Recreation & Park District
- Woods v. Hesperia Recreation & Park District
- Property Loss - Hesperia Recreation & Park District
- Property Loss – Jurupa Area Recreation & Park District
- CAPRI \$5K Summary

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

- Lopez v. Beaumont-Cherry Valley Recreation & Park District
- Delgado v. Hayward Area Recreation & Park District
- Ozuna v. North of the River Recreation & Park District
- Judd v. Rancho Simi Recreation & Park District
- Vollmer v. Rancho Simi Recreation & Park District

4.3 Worker’s Compensation – Anticipated Litigation Pursuant to Government Code § 54956.9(d)(2)

- 1 case

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

- Executive Director

Closed Session was concluded at 1:55 p.m., with item 4.4 being deferred to later in the meeting.

Closed Session was reconvened at 3:15 p.m. for Closed Session item 4.4 and ended at 4:06 p.m.

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.

6 CONSENT AGENDA:

6.1 Approval of CAPRI Board Minutes

- August 31, 2022

6.2 Warrant Listings – July 2022 – September 2022

6.3 Financial Reports

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

MOTION:

*Director Michelle Lacy made a motion to approve consent agenda items 6.1 – 6.3.
Director Jill Nunes seconded the motion.*

Ayes: *Wetter, Miller, Friedl, Lacy, and Nunes*

Nays: *None*

Abstain: *None*

Absent: *Mazzuca and Cervantes*

7 **PULLED CONSENT ITEMS:** None.

8 **SPECIAL REPORTS:**

8.1 Investment Stats Report – PFM

Mr. Wale Kajopaiye with PFM provided a report on the status of CAPRI's investment holdings. Mr. Kajopaiye noted that the investment portfolio remains consistent with CAPRI policy.

8.2 Insurance Market Report – Alliant Insurance Services

Mr. Doug Wozniak with Alliant Insurance Services provided an update regarding the current insurance market and outlook for 2023/24. Mr. Wozniak reported that we are heading into year 4 of a hard market cycle, making the renewal challenging. We may see another double-digit percentage increase in rates.

8.3 General Liability Program Status Report

Executive Director Duarte reviewed and discussed the status of the General Liability Program. The total volume and frequency of claims made against CAPRI members has continued to trend down.

8.4 Property Program Status Report

Executive Director Duarte reviewed and discussed the status of the Property Program. There was a slight increase in the number of property claims suffered by CAPRI members in 2021-2022. However, the severity decreased somewhat with only one excess claim incurred.

8.5 WC Program Status Report

Executive Director Duarte reviewed and discussed the status of the Workers' Compensation program and provided highlights regarding current claim trends including frequency, severity, and claim closures. The Board was provided with a summary of the WC loss history by fiscal year.

9 DISCUSSION/ACTION ITEMS:

9.1 Investment Policy Review

The Board reviewed the CAPRI Investment Policy and discussed whether amendments were necessary. This year, PFM noted a few minor edits and provided a redline draft of the policy for the Board's review.

MOTION:

Director Jim Friedl made a motion to approve proposed revisions to CAPRI Investment Policy as identified in the redline draft. Director Michelle Lacy seconded the motion.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

9.2 Review of 2021/2022 WC Final Payroll

The Board reviewed and discussed 2021/2022 Final Payroll for the Workers' Compensation program. CAPRI has now collected all final payroll and has calculated final premiums for the Program. As a pool, actual payroll totals decreased 2% as compared to the member estimates. This results in net refunds of approximately \$112,600 to members.

MOTION:

Director Michelle Lacy made a motion to approve Workers' Compensation program final payroll and final premium calculation for fiscal year 21/22. Director Jim Friedl seconded the motion.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

9.3 Public Records Act Request Policy

Executive Director Duarte reviewed, and the Board discussed adoption of a formal Public Records Act Request Policy. The Board reviewed and considered a proposed policy which is compliant with the Government Code.

MOTION:

Director Colin Miller made a motion to approve the CAPRI Public Records Act Request Policy effective November 30, 2022. Director Jim Friedl seconded the motion.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

9.4 CAPRI BOD Election of Officers 2023-2024

The Board conducted an election of Board Officers consistent with the CAPRI Bylaws.

MOTION:

President Dean Wetter was nominated to serve as Board President. Director Jim Friedl made the nomination, seconded by Director Jill Nunes. There were no other nominations.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

MOTION:

Vice President Larry Mazzuca was nominated to serve as Board Vice President. Director Jill Nunes made the nomination, seconded by Director Michelle Lacy. There were no other nominations.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

MOTION:

Secretary Colin Miller was nominated to serve as Board Secretary. Director Michelle Lacy made the nomination, seconded by Director Jim Friedl. There were no other nominations.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

MOTION:

Executive Director Matthew Duarte was nominated to serve as Board Treasurer. Director Jim Friedl made the nomination, seconded by Director Jill Nunes. There were no other nominations.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

9.5 Board Meeting Calendar 2023

The Board reviewed the proposed CAPRI Board Meeting Calendar for 2023. At this time four of the five meetings are planned to be in person at various locations noted.

MOTION:

Director Michelle Lacy made a motion to approve the CAPRI Board Meeting Calendar for 2023. Director Jim Friedl seconded the motion.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes

At 3:15 p.m., the Board recessed to discuss Item 4.4 in Closed Session. The Board returned from Closed Session at 4:07 p.m. to discuss the remaining items.

9.6 Annual Executive Director Contract Review

The Board reviewed and discussed the Executive Director employment contract. This matter was before the Board as part of the annual performance evaluation process for the Executive Director. In its review, the Board may consider amendments to the Contract.

MOTION:

Secretary Colin Miller made a motion to approve amendments to the Executive Director's contract as noted below. Director Michelle Lacy seconded the motion.

- *6% increase in annual salary to \$206,326;*
- *Monthly contribution to Executive Director's 457 plan increased to \$1,000;*
- *Severance provision amended to provide for six months base salary and health and dental benefits for the severance period of time;*
- *Add one year to the contract (through October 1, 2026); and*
- *All terms retroactive to October 1, 2022.*

Ayes: *Wetter, Miller, Friedl, Lacy, and Nunes*

Nays: *None*

Abstain: *None*

Absent: *Mazzuca and Cervantes*

10. EXECUTIVE DIRECTOR/STAFF REPORTS:

10.1 District Visit Update

This item was information only.

10.2 CARPD Update

This item was information only.

10.3 Member Training Update

This item was information only.

10.4 Captive Feasibility Study Update

This item was information only.

11. BOARD MEMBER REPORTS:

11.1 Board Member Comments

President Dean Wetter thanked Secretary Colin Miller for his work as the CAPRI Personnel/Finance Committee Chair and thanked CAPRI Staff for the good information at this meeting.

12. FUTURE AGENDA ITEMS:

The Board of Directors had no comments or questions.

13. ANNOUNCEMENTS:

The next CAPRI Board of Directors Meeting will be held on February 7, 2023.

14. ADJOURNMENT:

The Board adjourned for the day to be concluded the following day at 8:30 a.m. to discuss strategic goals for the Executive Director.

MOTION:

Director Jill Nunes made a motion to adjourn the meeting at 4:25 p.m. Director Jim Friedl seconded the motion.

Ayes: Wetter, Miller, Friedl, Lacy, and Nunes

Nays: None

Abstain: None

Absent: Mazzuca and Cervantes



Colin Miller,
Secretary for the CAPRI Board of Directors