



**AGENDA  
STATEWIDE ASSOCIATION OF COMMUNITY COLLEGES  
(SWACC)**

**CLAIMS & COVERAGE COMMITTEE MEETING  
MAY 6, 2024  
10:00 A.M.**

**THE WESTIN SACRAMENTO  
4800 Riverside Blvd.  
Sacramento, CA 95822  
(916) 447-1700**

**The meeting will also be conducted via Teleconference.  
Dial (669) 444-9171; Meeting ID: 872 270 1071**

**DESERT CCD**  
43500 Monterey Avenue  
Palm Desert, CA 92260  
**Misti Santana (760) 773-2528**

**WEST VALLEY MISSION CCD**  
190 Figone Lane  
Ben Lomond, CA 95005  
**Michael Robins (408) 748-2712**

**PALOMAR CCD**  
201 Waterfront St.  
National Harbor, MD 20745  
**Derrick Johnson (760) 744-1150**

**SAN DIEGO CCD**  
3375 Camino del Rio South,  
San Diego, CA 92108  
**Frank Fennessey (619) 388-6948**

**PASADENA AREA CCD**  
1570 East Colorado Blvd.  
Pasadena, CA 91106  
**Darlene Inda (626) 585-7534**

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**I. CALL TO ORDER**

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**II. ROLL CALL**

**CHAIRPERSON:**

San Diego Community College District  
Santa Clarita Community College District

Frank Fennessey, Chair  
April Marin, Vice Chair

**COMMITTEE MEMBERS:**

Barstow Community College District  
Citrus Community College District  
Desert Community College District  
Los Rios Community College District  
Mt. San Antonio Community College District  
NCCCSIA/Marin Community College District  
Palomar Community College District

DeeDee Garcia  
Wade Ellis  
Misti Santana  
Anita Singh  
Duetta Wasson  
Eresa Puch  
Derrick Johnson

**AGENDA – SWACC**

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Pasadena Area Community College District  
Santa Monica Community College District  
San Joaquin Delta Community College District  
Victor Valley Community College District  
West-Valley Mission Community College District

Darlene Inda  
Daniel Phillips  
Stacy Pinola  
John Nahlen  
Michael Robins

**EX-OFFICIO:**

South Orange County Community College District

Ann-Marie Gabel

**MANAGER:**

Keenan & Associates

Colleen Bjercknes  
Jeff Ostrom  
Brian Evans  
Matthew Takeda  
Karri Benson  
Tara Pietszak  
Sarah Bateman  
Peter Vasquez

**III. APPROVAL OF AGENDA**

**ACTION**

**Page 7**

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.

COMMITTEE CONSIDERATION

**IV. PUBLIC COMMENTS**

**INFORMATION**

**Page 8**

Members of the public may participate via Zoom Videoconferencing using the link above or by calling in to the meeting at +1 669-444-9171; Meeting ID: 872 270 1071.

Members of the public wishing to comment on an agenda item or another topic within the jurisdiction of the Committee will be given the opportunity to ask questions by submitting public comments via email to the SWACC JPA Manager, Colleen Bjercknes, at: [cbjerknes@keenan.com](mailto:cbjerknes@keenan.com). All public comments will be accepted via email. Submissions must be received by 8:30 a.m. on the day of the meeting. Please include in the subject line of the email: COMMENTS FOR THE MEETING OF MAY 6, 2024. Please indicate if you are addressing a specific agenda item or are making “Public Comment.” Submissions will be read aloud at the meeting and must comply with the 3-minute time limit.

PUBLIC COMMENTS

COMMITTEE CONSIDERATION

**V. APPROVAL OF MINUTES – February 13, 2024**

**ACTION**

**Pages 9-15**

The Committee will review the minutes of the February 13, 2024 Committee meeting for any adjustments and adoption.

COMMITTEE CONSIDERATION

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**VI. CORRESPONDENCE** **INFORMATION**  
**Page 16-18**

Correspondence will be presented and reviewed by the Authority. No action may be taken in response; only referred for action on a subsequent agenda.

COMMITTEE CONSIDERATION

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**VII. CLOSED SESSION** **ACTION/INFORMATION**  
**Pages 19-194**

As authorized by Government Code Sections 54954.5 and 54956.9, the Committee will discuss the following:

**A) SPECIAL CLAIMS CONSIDERATIONS/REQUESTS/APPEALS:** **ACTION**  
**Page 20**

At the time of the agenda there was no Special Claim Considerations to present.

COMMITTEE CONSIDERATION

**B) LIABILITY CLAIM SETTLEMENT AUTHORIZATIONS:** **ACTION**  
**Pages 21-29**

1. Serrano v. Citrus CCD
2. Wert v. Rancho Santiago CCD
3. Whitney v. Lassen CCD

COMMITTEE CONSIDERATION

**C) LOSS RUN/CLAIM REVIEW/CLAIM INCURRED ANALYSIS:** **ACTION**  
**Pages 30-31**

The Manager will review new/serious claims from the Claim Incurred Analysis.

COMMITTEE CONSIDERATION

**D) CLAIM UPDATES NEW/SERIOUS REPORTS:** **INFORMATION**  
**Pages 32**

At the time of the agenda, there were no Claim Updates to present.

COMMITTEE CONSIDERATION

**E) NEW LOSS REPORT:** **INFORMATION**  
**Pages 33-35**

The Manager will provide a report on any new losses that pierced the Authority's member retained limit during the most recent quarter, for information.

COMMITTEE CONSIDERATION

**F) TRIALS:**

**INFORMATION**  
**Pages 36-50**

The Claims Administrator will provide information regarding any new pending trials, updates on current pending trials, and trial results for Committee information.

**New Pending Trials (pages 37-49):**

1. Barrita vs. Coast CCD
2. Bell v. Coast CCD
3. Elledge vs. Barstow CCD
4. Lingrosso vs. Ventura County CCD
5. Nguyen v. San Diego CCD
6. Walton vs. Victor Valley CCD

COMMITTEE CONSIDERATION

**Trial Updates:**

At the time of the agenda, there were no Trial Updates to present.

COMMITTEE CONSIDERATION

**Trial Results:**

At the time of the agenda, there were no Trial Results to present.

COMMITTEE CONSIDERATION

**G) COVERAGE OPINIONS:**

**ACTION**  
**Pages 51-120**

The following claims will be presented and discussed by the Committee for coverage issues and position letters as per the SWACC coverage determination policy:

1. Ahders v. Mendocino Lake CCD
2. Banks, et al. v. Santa Monica CCD
3. Bedrock v. Ventura County CCD
4. Blecka v. San Bernardino CCD
5. House v. Mt. San Jacinto CCD
6. Lee v. Foothill De Anza CCD
7. Manweller v. Los Rios CCD
8. Romero v. Mt. San Antonio CCD
9. San Jose Evergreen CCD
10. San Joaquin Delta CCD
11. Smith v. Butte-Glenn CCD

COMMITTEE CONSIDERATION

**H) POSITION LETTERS:**

**ACTION**  
**Pages 121-158**

Position letters issued February 16, 2024 are included in the agenda for Committee ratification.

COMMITTEE CONSIDERATION

**I) IN-HOUSE SETTLEMENT AUTHORITY REQUESTS:**

**ACTION**  
**Pages 159-194**

Approved in-house settlement authority requests are included in the agenda for Committee ratification.

COMMITTEE CONSIDERATION

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**VIII. OPEN SESSION**

**INFORMATION**  
**Page 195**

In accordance with Government Code Section §54957.1, any action taken while in closed session will be reported out.

COMMITTEE CONSIDERATION

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**IX. PROPERTY CLAIM SETTLEMENT AUTHORIZATION REQUEST(S)**

**ACTION**  
**Pages 196-202**

1. San Diego CCD
  2. San Joaquin Delta CCD 615523
  3. San Joaquin Delta CCD 616293
- COMMITTEE CONSIDERATION

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**X. CLAIMS PAID REPORT**

**ACTION**  
**Pages 203-204**

The Authority will review the Closed and Settled Claims Report from 1/1/24 – 3/31/24.

COMMITTEE CONSIDERATION

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**XI. BRIEFINGS/ LEGISLATIVE UPDATE**

**ACTION AS NECESSARY**  
**Pages 205-224**

Discuss recent briefings for Committee review.

COMMITTEE CONSIDERATION

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**XII. INFORMATION REPORTS**

**MEMBER COMMENTS:**

Each Committee member may report about various matters involving the Authority. There will be no Claims Committee 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 Claims and Coverage Committee about various matters involving the Authority. There will be no Committee 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 Claims and Coverage Committee on any matter pertaining to the Authority that is not on the agenda. The chairperson reserves the right to limit the time of presentations by individual or topic.

**XIII. AGENDA ITEMS NEXT MEETING**

Members and visitors may suggest items for consideration at the next meeting which is scheduled for August 12, 2024. Regularly scheduled agenda items are:

- Closed Session – Claims

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**XIV. ADJOURNMENT**

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**Americans With Disabilities Act:**

The Statewide Association of Community Colleges 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 modification or accommodation, in order to participate in a public meeting of the Statewide Association of Community Colleges, shall be made to: Jeff Ostrom, Account Manager, Keenan & Associates, 2355 Crenshaw Boulevard, Suite 200, Torrance, CA 90501, 310.212.3344.

Documents and materials relating to an open session agenda item that are provided to the SWACC Claims & Coverage Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2355 Crenshaw Boulevard, Suite 200, Torrance, CA 90501. The documents will also be available on the agency's website at [www.swacc.org](http://www.swacc.org).