



Tri-Counties Chapter

Meeting Minutes

March 15, 2010

I. Call to order

President Mark Hanks called meeting to order at 6:40 pm at the Harbor Restaurant in Santa Barbara.

Roll call

The following individuals were present:

1. Ryan Bates, Vice President (PHPOA)
2. Eric Swartz, Marketing Executive, Myers-Stevens & Toohey
3. Matt Findlay, President (VCDSA)
4. Rene Smit, President (SBAPOA)
5. John Snowling, Chapter Director, President (VPOA)
6. Mark Hanks, Chapter Director, Treasurer (VCDSA)
7. Diane Hubbard, President (VCPPOA)
8. Roger Stephenson, PORAC LDF, (ESPOA)
9. Mike McGrew, PAC President (SBPOA)
10. James Meter, Chapter Secretary (SBCDSA)
11. Gary Wyatt, AFLAC Representative
12. Chris Corbett, SB Co Chapter VP, President (SBCDSA)
13. Dan Calderon, Director (SBCDSA)
14. Larry Goldstein, Gordon, Edelstein et al, Law Firm
15. Adam Dombchik, Gordon, Edelstein et al, Law Firm
16. Stephen Silver, Silver Hadden Silver Wexler and Levine
17. Ed Fishman, Administrator, PORAC LDF
18. Nancy Vallejo, Member (VCPPOA)
19. Sara McMullin, California Casualty
20. Cary Fletcher, RaSport

II. Approval of Minutes – Mark Hanks

A motion was made by Chris Corbett to approve the minutes, as submitted via e-mail, of the January 25, 2010 meeting held at the Harbor Restaurant in Santa Barbara. Mike McGrew seconded the motion. No discussion. The motion passed unanimously.

III. Treasurer's Report – Ryan Bates

Treasurer Bates had no report due to account transition delays. He is actively in the process of coordinating this with out-going Treasurer Kent Bodine.

**Ryan reported his ability to access account as of 4-30-10. Balance of General account was \$12,297.59 at date of March meeting.

Director Snowling reported PAC Fund at approximately \$15,914.70 and the PIC Fund at approximately \$1007.45 as of March 1, 2010.

IV. PORAC Officers Report – Mike Durant

PORAC Vice President Mike Durant was in Washington DC conducting PORAC business with Executive Board.

V. President's Report – Mark Hanks

No report for sake of time. Notable items were mentioned throughout meeting.

VI. Committees

Insurance & Benefits – Nick Odenath unable to attend for personal reasons. Reminder about the I&B website www.poracinsurance.org as a resource for basic insurance questions as well as additional contact information.

AFLAC Representative Gary Wyatt conducted a general presentation reminding chapter members of the availability of AFLAC benefits. ALFAC and Gary work closely with PORAC. Gary reminded members of the availability of "user" accounts on-line for members who use AFLAC services. Also advised retirees can continue their coverage at the same rates they had prior to retirement. Gary also passed out information sheets and made information packets available.

Sara McMullin from California Casualty reminded members of her availability to assist members with rate comparisons. She will continue to make herself available to chapter members.

Eric Swartz with Myers, Stevens & Toohey advised members need to check and update their beneficiary information on an annual basis. Eric also reminded members to contact him if they have any questions or issues.

LDF - Director Roger Stephenson reported membership at 85,893, 876 Associations, 30 states. Net assets \$6.90 million in reserves. All information reported as of March 15, 2010.

Roger briefed on LDF Plan 5 which has to do with CCW coverage for retirees. In the near future all of members of RAM will be able to view, via an e-mail download, a Frequently Asked Questions information sheet regarding this coverage. The cost will be \$4 a month in addition to the \$2 a month for basic RAM coverage. The plan is designed with comprehensive coverage for the defense of your life and the life of another. Applications will be on-line for both RAM and the CCW coverage.

Roger reminded chapter members of the LDF website which contains valuable articles and information. www.porac.org/ldf

Dues letter should be out as close to April 1, 2010 as possible. Advised associations any "960" employees/members paying full association dues for Plan 1 (civil, criminal and administrative) coverage are doing so and it is not applicative. They are not covered for administrative investigations. Roger suggested they become members of Reserve associations. If this applies to your association it may be financially beneficial to have your Treasurer review this and make adjustments accordingly. PORAC funded a letter of support regarding felons in ballistic vests issue along with the Attorney General. This will be heard by the Supreme Court in the future. Hopefully resolve to this issue will occur through a legislative fix.

Reminder re: civil monitoring. If a member is mentioned in a civil action, PORAC will monitor civil case. This monitoring will ensure proper defense and if need be, an LDF panel attorney can step in, in active defense. Currently 78 civil cases being monitored; 9 of these cases have an active defense attorney involved via PORAC LDF due to the concern a city attorney or county counsel is not handling the case effectively.

It is political season. Remind younger members about getting caught in political related behavior while on-duty, easy to get caught up if not informed. Roger also reminded about issues surrounding social networking for members.

BART shooting case update: case moved to Los Angeles due to the hostility in Alameda County. Mike Rains believes judge will be fair, but unwilling to reduce bail; still at 3 million dollars. Move to dismiss Alameda DA from trying the case was denied.

Ed Fishman gave additional information on issues with Alameda DA surrounding the improper handling of the case in the beginning stages of the BART case. One of the main issues was, after the officer's arrest in Nevada, the DA investigators tried to get a statement from him prior to having counsel present, even though they knew counsel was en route. Unfortunately the courts did not see this as sufficient violation of 6th Amendment Rights and therefore did not disqualify the DA. Reservation of rights as to indemnity via city attorneys and county counsel is an area of concern your members need to be aware of. PORAC LDF will ensure members get indemnity coverage in writing, and this is included in LDF plans 1, 2 and 3. Even if your local agency's attorneys state you are covered for indemnity purposes, you should still contact LDF and have them ensure you are covered properly in writing.

Ed also spoke briefly about the Desert Hot Springs PD, Burbank PD and Riverside SD cases. Reminder: If you have an active court case and it is related to something which occurs off duty, do NOT appear in court in uniform.

Steve Silver spoke briefly on contract negotiations in the financial climate during the past two years, going from "bad to worse." Steve mentioned the push from on-going pension reform issues. He also offered various strategies to utilize in collective bargaining.

Steve introduced Larry Goldstein and Adam Dombchik; both are attorneys from Gordon, Edelstein, and Assoc. Law Firm. Their law firm specializes in workers compensation and personal injury cases. Steve's law firm (SHSW&L) has an established relationship with this law firm and highly recommends their services and spoke about how his firm found them. They are located in Los Angeles and service Ventura County as well. They would be willing to offer advice to members north of Ventura.

Larry spoke about the Qualified Medical Examiner (QME) issues that can arise when dealing with an injury. One of the main issues is members do not get representation early enough in their case, sometimes after issues which can be detrimental to members case have already occurred. Adam gave updates on a couple notable cases currently going the courts. Larry and Adam advised initial advice is free and encouraged members to contact them.

RMT – John Snowling, nothing notable to report. Torrance Fire possibly joined in the last couple months.

RAM – Tom Snook unable to attend. No Report.

PAC – No report

By-Law Committee – Secretary Meter reported committee unable to meet prior to meeting. Very little input from chapter. Update and review should be completed by July.

VII. Directors' Reports

Tri-Counties' Director John Snowling. No state meeting since last chapter meeting. Biggest issue remains to wage and benefit issues. State pension reform failed to make the ballot. Spoke briefly on local pension issues, specifically pension changes. Issues will continue for at least two years. There will probably be another attack at the state level.

Executive Board Director Randy Watkins not present. Randy was also in Washington D.C. conducting PORAC business.

VIII. Vice-Presidents' Reports

San Luis Obispo Vice-President Dale Strobridge unable to attend, no report.

Santa Barbara County Vice-President Chris Corbett briefed on SBCDSA's current discussions with SB Co. Currently in talks via a membership ratified 90 day deferral. Still too early to tell what discussions may lead to. Looking at ALADS for health benefits as an option with county health care options. SB Sheriff Brown was not challenged and will be the sheriff for another term.

Ventura County Vice-President Nick Odenath unable to attend. Matt Findlay spoke briefly about current talks with county, the Ventura Sheriff's race, and other political endorsements.

IX. Unfinished Business

No unfinished business discussed.

X. New Business

Motion by Matt Findlay to endorse Jeff Gorrell for 37th Assembly seat. Second by Ryan Bates. No discussion. Motion passed unanimously.

Cary Fletcher from RaSport introduced himself and explained his company's partnership with PORAC. PORAC has outsourced their promotional services/items with RaSport. His company supplies various wears for labor associations such as shirts, coins, cups, etc. Brief discussion about ordering new chapter polo shirts. Mark Hanks to follow-up with Cary.

XI. Good of the Chapter

Mike McGrew spoke about SBPOA's on-going contract discussions and related issues. SBPOA's contract expires June 30, 2010.

Diane Hubbard reported Ventura County Probation will be getting a new chief in the near future. Diane highly recommended Gordon, Edelstein for assistance with workers' compensation issues. Their firm recently assisted one of their members and did an outstanding job.

Matt Findlay thanked Steve Silver for being instrumental in resolving an issue with VCDSA and their management staff. Steve was able to resolve the issue before it turned into a litigation issue.

Ryan Bates spoke about PHPOA's contracts status. Board members recently attended collective bargaining training. City Council just advised Chief of Police will retire, not an option. Should be interesting to see how issue pans out. POA board elections occur in the near future. Offered a big thanks to all associations and PORAC for their donations to the family of Officer Davis. Davis family has been receiving donations from all over the state.

Dan Calderon spoke about the on-going discussions with the county regarding contract concessions for the SBCDSA. Major "selling" point will be the availability of ALADS health care as an option.

Rene Smit reported SBAPOA recently lost two positions and also briefed on upcoming contract raises. Lost positions were not layoffs.

Mark Hanks thanked Rene Smit for upkeep of the chapter website.

Mark Hank planned on presenting Kent Bodine with a resolution from PORAC and a plaque from the chapter for his service to the chapter and acknowledgement of his retirement.

XII. Adjournment

President Hanks adjourned the meeting at approximately 08:20pm.
Minutes submitted by: James Meter, Chapter Secretary
Minutes approved by: