

California Victim Compensation and Government Claims Board

Open Meeting Minutes

November 20, 2008, Board Meeting

The California Victim Compensation and Government Claims Board convened its meeting in open session at the call of Leslie Lopez, Deputy Secretary and General Counsel, State and Consumer Services Agency, at 400 R Street, Sacramento, California, on Thursday, November 20, 2008, at 10:03 a.m. Also present were Board members Les Kleinberg, Deputy Controller, acting for and in the absence of John Chiang, Controller, and Michael Ramos, San Bernardino County District Attorney.

Board staff present included Julie Nauman, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; and Garry Ness, Chief Counsel. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

Item 1. Minutes of the October 23, 2008, Board Meeting

The Board voted to adopt the minutes of the October 23, 2008, Board meeting.

Item 2. Public Comment

Christine Ward, Executive Director, Crime Victims Action Alliance, provided public comment. Ms. Ward stated a volunteer member of her staff placed several calls to the VCGCB's Customer Service Section (CSS) and experienced what she considered to be long wait times before being assisted by CSS staff. The Executive Officer stated the VCGCB's goal is to be responsive to everyone seeking assistance regarding the Program. The Executive Officer stated staff would closely monitor wait times to ensure callers are not on hold for a long period.

Item 3. Executive Officer's Statement

The Executive Officer gave the following report:

- The VCGCB is making continued progress on implementing the VCGCB's 2008-2012 Strategic Plan. The VCGCB's six strategic goals focus on greater efficiencies for the Victim Compensation Program and Government Claims Program, increasing customer and employee satisfaction, expanding public awareness, and increasing revenue recovery efforts. The latest step was the development and publication of eight project charters which will help to achieve each of the eight action strategies outlined in the Strategic Plan. The eight near-term strategies have been discussed with staff and will become the VCGCB's work plan. Each charter outlines a project and includes concrete work plans focused on achieving one or more strategic goals.
- VCGCB staff has been providing presentations to law enforcement throughout the state. Staff completed almost 40 presentations that were requested in response to an awareness survey of law enforcement agencies statewide. The *California State Sheriffs' Association* magazine published an article entitled "California Victim Compensation Program Helps Rebuild Shattered Lives" in their October 2008 edition. Staff also recently made presentations to groups representing Native Americans and persons with disabilities.

The Executive Officer stated on November 14, staff had a follow-up meeting with representatives of the Department of Personnel Administration (DPA)/Benefits Division and the State Controller's Office (SCO) tax support staff to discuss third-party vendor travel claims. The SCO reported there has been no change in the IRS position on the State Accountability Plan relative to receipts. There was agreement that, where an employee can provide the required elements of a receipt, those expenses can and should be properly paid through the normal Travel Expense Claim process at the department level. DPA will re-issue guidance to all departments regarding third-party vendor travel

claims, with the hope of reducing the amount of claims filed with the Board. This guidance will be issued as an update to the Personnel Management Liaison Memo (PML) 2005-021 and will include direction to departments on what documentation would be acceptable as a receipt. For those claims that are filed, Government Claims staff will coordinate more closely with DPA to ensure that when additional supporting documentation is received from a claimant, it is shared timely to allow DPA an opportunity to evaluate all the information when making or reassessing its recommendation on claims.

Item 4. Contract Report

Lina Luna-Pruitt, Acting Chief Information Officer, presented the contract report to the Board.

Item 5. Proposed Board Meeting Dates for Calendar Year 2009

The Board voted to approve the proposed Board meeting dates for calendar year 2009 with the exception of the January 15, 2009, meeting date, which was changed to January 22, 2009.

Government Claims Program

Item 6. Consent Agenda (Nos. 1- 388)

The Board voted to adopt the staff recommendations for numbers 1-388 with the exception of number 194, G576566, which was continued at the request of the claimant so that additional information could be provided for further analysis and review.

Item 7. Pajaro Valley Unified School District Claim Number G574378

The Board voted to adopt the staff recommendation to allow the claim in the amount of \$158,399.75 to be paid under authority of Government Code section 965 (agency pay).

Item 8. Daniel J. Silva Claim Number G574538

The Board voted to adopt the staff recommendation to allow the claim in the amount of \$394.72 to be paid under authority of Government Code section 965 (agency pay).

Item 9. Charles W. McCall, Jr. Claim Number G574966

The Board voted to adopt the staff recommendation to partially allow the claim in the amount of \$2,615.24 to be paid under authority of Government Code section 965 (agency pay).

Item 10. Praetorian Construction Claim Number G575235

The Board voted to adopt the staff recommendation to partially allow the claim in the amount of \$72,197.54 to be paid under authority of Government Code section 965 (agency pay).

Item 11. Joint Bid Protest of Rada Office Products, Inc. and Ergonomic Comfort Design, Inc. Invitation for Bid No. 57115

The Board voted to adopt the staff recommendation to deny the protest.

Victim Compensation Program

The Board commenced the Victim Compensation Program portion of the meeting at 10:28 a.m.

Request for Authority to Begin the Rulemaking Process for Victim Compensation Program Regulations Title 2, §§ 649-649.62

The Board voted to adopt the staff recommendation to authorize the Executive Officer to begin the formal rulemaking process for the proposed changes to the Victim Compensation Program regulations.

Consent Agenda No. 1

The Board voted to adopt the staff recommendation.

Requests for Reconsideration Recommendation: Deny (Nos. 2 and 3)

The Board voted to adopt the staff recommendations.

Reconsideration Following Board Action on a Proposed Decision Recommendation: Deny (No. 4)

The Board voted to adopt the proposed decision.

Proposed Decision Following Failure to Respond (Nos. 5-23)

The Board voted to adopt the proposed decisions, as amended, by correcting a clerical error regarding number 17. The correct claim number is A08-0508358.

Proposed Decisions Following Failure to Appear (Nos. 24-35)

The Board voted to adopt the proposed decisions.

Closed Session

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 10:33 a.m. to deliberate on the proposed decisions, numbers 36 through 66.

The Board reconvened into open session at 10:43 a.m.

Open Session

The Board voted to adopt the proposed decisions for numbers 36 through 66.

Adjournment

The Board meeting adjourned at 10:43 a.m.

Julie Nauman
Executive Officer

I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of December 18, 2008, at Sacramento, California.

Date: December 18, 2008

By: _____
Board Liaison (Affix Seal here)