

California Victim Compensation and Government Claims Board

Open Meeting Minutes

January 21, 2009, Board Meeting

The California Victim Compensation and Government Claims Board convened its meeting in open session at the call of Rosario Marin, Secretary, State and Consumer Services Agency, at 400 R Street, Sacramento, California, on Wednesday, January 21, 2009 at 2:03 p.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 December 18, 2008, Board Meeting

The Board voted to adopt the minutes of the December 18, 2008, Board meeting.

Item 2. Public Comment

The meeting was opened to public comment. No public comment was offered.

Item 3. Executive Officer's Statement

The Executive Officer stated the New Year presents new opportunities for the VCGCB to achieve the highest standards in public service. The Executive gave the following report:

- The VCGCB's major focuses for the New Year are to improve customer service and increase public awareness of our program. The Executive Officer stated the VCGCB is committed to ensuring timely responses to the public that we serve and to serve them completely and with extreme courtesy. It is also important that every Californian be aware of our program and the services available to victims of violent crime in their time of need. The VCGCB will expand outreach efforts around the state by working with first responders. Moving beyond these efforts, the VCGCB will reach out to the underserved to make sure that every effort is made to ensure that we are able to communicate in languages that are spoken in California so that all may have access to the services that the VCGCB provides.
- Continue our investment in CaRES, the web based claims management system. Resources and staff have been authorized to ensure that CaRES is optimized and working at full efficiency with all the features that it was designed to provide. The VCGCB staff will be able to provide faster response and faster payment of bills. One new feature in CaRES will be an online application that will enable anyone throughout the state with a computer to prepare their application online and submit it to the VCGCB. This feature will make it easier for applicants and at the same time reduce processing time. With a complete application being received through the online application, it will minimize the amount of time spent making return telephone calls requesting additional information. These enhancements will also enable providers to monitor their claims and give them the ability to check the status of payments.

The Executive Officer stated she is looking forward to these improvements and is constantly looking for ways to provide more timely service and be responsive to those who need our help.

Governor Arnold Schwarzenegger issued a proclamation recognizing January 11, 2009, as National Human Trafficking Awareness Day. In an effort to raise awareness of human trafficking, the VCGCB will host a presentation provided by Marisa Ugarte, Executive Director of the Bilateral Safety Corridor Coalition. Ms. Ugarte will talk about the human trafficking trade and her work in assisting victims. The Executive Officer extended an invitation to the Board and VCGCB staff.

Item 4. Contract Report

The Executive Officer presented the contract report to the Board.

Government Claims Program

Item 5. Consent Agenda (Nos. 1- 324)

The Board voted to adopt the staff recommendations for numbers 1-324, with the exception of number 166, G578930, which was removed pending review of additional information and number 304, G579588, which was removed in order to allow the claimant an opportunity to address the Board.

Consent Agenda Appearance

Item Number 304

Douglas Herich appeared and addressed the Board. The Board voted to adopt the staff recommendation to reject the claim.

Item 6. Ashley Payne, Robert Payne and Carol Payne Hallissy

Claim Number G573309

Francisco Lujano appeared on behalf of the State Treasurer's Office. The Board voted to adopt the staff recommendation to allow the claim in the amount of \$200,000.00, to be paid pursuant to Government Code section 905(b)(4) (legislative pay).

Item 7. Wind Dancer Moving Company

Claim Number G575542

Karin Shine and Brent Dills appeared on behalf of the Department of Water Resources. The Board voted to adopt the staff recommendation to allow the claim in the amount of \$116,184.69 to be paid pursuant to Government Code section 965 (agency pay).

Item 8. Frank W. Hammelbacher

Claim Number G577421

Francisco Lujano appeared on behalf of the Treasurer's Office. The Board voted to adopt the staff recommendation to allow the claim in the amount of \$149,825.00 to be paid pursuant to Government Code section 905.2(b)(4) (legislative pay).

Item 9. Maximus, Inc.

Claim Number G578786

Merita Chung appeared on behalf of the Department of Insurance. The Board voted to adopt the staff recommendation to allow the claim in the amount of \$139,555.00 to be paid under authority of Government Code section 965 (agency pay).

Item 10. Applications for Discharge from Accountability for Collection

Chairperson Marin requested Board staff include Board member Les Kleinberg in a meeting with the Department of Finance to discuss possible alternatives to discharging uncollectible debts.

The Board voted to adopt the staff recommendation.

Item 11. Frank Lind (Pen Code, § 4900 et seq.)
Claim Number G565878

Frank Lind, claimant, appeared and addressed the Board. Mike Farrel, Deputy Attorney General, appeared on behalf of the Attorney General's Office. The Board voted to adopt the staff recommendation to deny the claim.

Victim Compensation Program

The Board commenced the Victim Compensation Program portion of the meeting at 3:09 p.m.

Victim Compensation Program Statistical Report

JoAnn Goodwin, Assistant Deputy Executive Officer, Victim Compensation Program, presented the report to the Board.

Requests for Reconsideration
Recommendation: Deny (Nos. 1-3)

The Board voted to adopt the staff recommendations.

Reconsideration Following Board Action on a Proposed Decision
Recommendation: Deny (Nos. 4 and 5)

The Board voted to adopt the proposed decisions.

Proposed Decision Following Failure to Respond
(Nos. 6-8)

The Board voted to adopt the proposed decisions with the exception of number 7, which was removed in order to schedule a hearing with a hearing officer.

Proposed Decisions Following Failure to Appear
(Nos. 9-17)

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 3:18 p.m. to deliberate on the proposed decisions, numbers 18 through 47.

The Board reconvened into open session at 3:24 p.m.

Open Session

The Board voted to adopt the proposed decisions for numbers 18 through 47.

Adjournment

The Board meeting adjourned at 3:25 p.m.

Julie Nauman
Executive Officer

I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of February 19, 2009, at Sacramento, California.

Date: February 19, 2009

By: _____
Board Liaison (Affix Seal here)