

California Victim Compensation and Government Claims Board
Open Meeting Minutes
January 16, 2014, Board Meeting

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of Marybel Batjer, Secretary, Government Operations Agency, at 400 R Street, Sacramento, California, on Thursday, January 16, 2014, at 10:00 a.m. Also present was Board member Richard Chivaro, Chief Counsel, acting for and in the absence of John Chiang, Controller. Board member Michael Ramos, San Bernardino County District Attorney, participated in the meeting via teleconference and was located at 303 West 3rd Street, 6th Floor, San Bernardino, California.

Board staff present included Executive Officer Julie Nauman and Chief Counsel Wayne Strumpfer. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

Item 1. Approval of Minutes of the December 12, 2013, Board Meeting

The Board approved the minutes of the December 13, 2013, Board meeting.

Item 2. Public Comment

The Board opened the meeting for public comment. No public comment was offered.

Item 3. Executive Officer Statement

Executive Officer Nauman gave a PowerPoint presentation highlighting the VCGCB's accomplishments during calendar year 2013. Ms. Nauman explained that all of the accomplishments reflect the direction set in the VCGCB's Strategic Plan which is supported by the Operational Plans for each of the units within the VCGCB.

2013 Accomplishments Report

CalVCP Initiative Grant

Federal funds were awarded to develop innovative strategies to identify and assist underserved crime victims. In September, the VCGCB was awarded \$245,440 by the U.S. Department of Justice, Office for Victims of Crime (OVC). The award will allow CalVCP to perform a needs assessment and gap analysis to identify underserved communities, define gaps in services, and determine effective strategies and innovations to improve access to compensation and victim services. The VCGCB proposal was one of only three funded by OVC. The award carries with it the potential for a second and third year of funding to implement and evaluate the strategies identified in year one to improve services.

Trauma Recovery Center (TRC) Grant

The TRC Grant allows CalVCP to support new methods of delivering services to crime victims. The FY 13/14 state budget directed CalVCP to administer a grant program award up to \$2 million in funding to qualifying TRCs in California. In December, the Board awarded grants to California State University at Long Beach, Special Service for Groups, and the University of California at San Francisco Trauma Recovery Center to provide comprehensive mental health and medical services to underserved victims of crime.

CalVCP New Bill Return Process

CalVCP streamlined bill verification to improve customer service and reduce the number of appeals. The bill return procedures allow CalVCP to return bills that do not have enough information or that do not have the correct information needed for payment, rather than denying the bills. The new process allows the claimant or provider an opportunity to provide the correct information and proceed without having to go through an extended appeal process. The process has resulted in a workload reduction for the Hearing and Appeals Section.

CalVCP Training for Staff, JPs, Victim Advocates, and Partners

Training staff conducted 59 new and refresher training sessions (more than one a week). As part of CalVCPs ongoing training efforts, staff visited victim advocates and county partners in 16 counties; made site visits to a number of Joint Powers contract offices; spent time with victim advocates in several counties; and improved customer service to crime victims.

On-line, Paperless Verification

CalVCP embarked on an ambitious plan to streamline communication with a number of organizations that provide crucial information for bill verification. The Revenue Recovery Section moved forward to institute electronic communication with the Franchise Tax Board (FTB), The Work Number, The Medical Disability Advisor, and MediCal. A paperless system for requesting and receiving tax returns from FTB was instituted and contracts were established for on-line access to The Work Number and the Medical Disability Advisor. VCGCB has seen tremendous efficiencies in the process for verifying income and support loss claims. VCGCB is in the final stages of implementing an agreement for on-line access to MediCal information, which will create significant efficiencies when processing medical payments.

Restitution and Recovery Section (RRS)

- Completed a preliminary survey of all California counties concerning restitution collection practices. The VCGCB's efforts are forging improved state and local partnerships to improve a victim's right to restitution. The VCGCB is attempting to obtain a clear picture on restitution collection processes and practices in the counties. The VCGCB is seeking best practices that others can share and focus efforts on bringing more revenue into the Restitution Fund; however, the motivation is to ensure that restitution is being collected effectively throughout California so that the Restitution Fund stays healthy so that the VCGCB can continue to deliver services to victims in their time of need.
- Conducted outreach to the criminal justice community and gave seven presentations to approximately 215 attendees.
- Developed a speaker's presentation for probate matters and conducted its first rollout with the Shasta County Probate Law Committee.
- Presented "Restitution Fundamentals" at the California Revenue Officers Association annual conference.
- Updated the probate notification forms and made website enhancements that permit on-line submittal and a redesigned FAQ page, resulting in an increase in probate cases and recovery.

Chairperson Batjer commented that there might be some unevenness in the collection efforts throughout the state. She asked Executive Officer Nauman whether there was a way in which the VCGCB could address those departments that have challenges in meeting the best practices.

Executive Officer Nauman stated that the efforts undertaken are part of the work that CalVCP is doing with the Victim Advisory Committee and stems from the concern of the potential impacts of realignment on the collection of restitution that has been a concern of the Board over the past few years. Ms. Nauman explained that the VCGCB continues to monitor its Restitution Fund balance. Nearly two years ago, the Board took action to reduce benefit levels and the Restitution Fund has continued to show relative health. As a result, there had been some conversation about revisiting some of the reductions that were made; however, the Board expressed their concern because they did not want to take any action prematurely until they were confident about the potential impacts of realignment on collections. She further explained that the analysis is critical for any decision the Board may make regarding benefit levels, because it is important to ensure that there is accurate data that shows impositions as well as orders that still need to be collected.

Office of Audits & Investigations (OAI)

OAI established the CalVCP Fraud Hotline in March. The additional tool will effectively identify potential fraud, ensure funds are properly used, and retain public trust. Since its inception, CalVCP has received over 40 hotline complaints concerning suspicious claims for reimbursement.

Legal and Appeals Division (LAD)

LAD receives approximately 300 appeals and reconsiderations each month. During the month of March, LAD instituted an appeals backlog "blitz" in an effort to remove the backlog and streamline the process. As a result, 1,000 applications, bills, and coverage-related appeals and reconsiderations were completed during the month-long blitz. Staff also reduced the outstanding appeal claims inventory and decreased the processing time of new claims from over a year to a current average of 4 to 6 months.

Chairperson Batjer asked how many of the approximately 300 appeals received monthly are approved.

Wayne Strumpfer, VCGCB Chief Counsel, explained that more applications are approved at the appeal level mainly because the claimant may have produced information or documents that they did not have originally, such as a treatment plan from a provider. He stated that, on average, approximately 33% of claims are overturned on appeal.

Government Claims Program (GCP)

- Initiated the first revisions to the GCP regulations since 1976 in partnership with its stakeholders. The changes included revisions to the government claims application form and instructions to make the program more accessible and improve the initial review of claims; revised regulations that provide increased flexibility for State entities to negotiate settlements with claimants through the GCP; and new regulation text that clarifies rules and procedures for all stakeholders.
- Conducted outreach with departments (Caltrans, CDCR, CDPH, DMV, DSH, and EDD) to enhance efficiencies and effectiveness.
- Improved the quality of claim review, interagency communication, and claim processing procedures.
- Increased claimant access to GCP services.
- Increased accurate resolution of claims.

Workplace Environment

The Wellness Committee held a number of events including the annual onsite flu shot clinic, quarterly blood drives, and the State Employee Heart Walk, among others.

2013 California State Employee Charitable Campaign (CSECC)

The CSECC Committee orchestrated various efforts to increase staff involvement such as a special newsletter, charity fair, cake auction, chili cook-off, and an antiques roadshow/garage sale. Over \$2,000 was donated, a 63% increase over last year.

Public Affairs Division

The Public Affairs Division received four "Excellence in State Government Communications" awards that included three gold awards in Graphics and Photography, Events, and Public-Private Partnerships and one silver award in Social Media.

Sexual Assault Awareness Month

In recognition of Sexual Assault Awareness Month in April, the VCGCB sponsored its most successful denim campaign. Over 1,900 denim items were collected and a record 24 agencies and businesses participated in the denim clothing drive in recognition of sexual assault victims.

Donations collected supported La Casa de las Madres, Yolo County Sexual Assault and Domestic Violence Center, and WEAVE.

California Crime Victims' Rights Month

- CalVCP held its Fourth Annual Victims' Rights Rally and March in observance of California Crime Victims' Rights Month. Survivors, families, community advocates, and dignitaries gathered for victims' rights and services. Speakers included AG Kamala Harris, Assembly Member Ken Cooley, and many survivors of violent crimes and advocates who shared personal stories. The rally reached its largest audience to date. Visuals included educational silhouettes and memory Boards were signed to honor loved ones.
- CalVCP hosted its first ever Victims' Rights Digital Town Hall meetings in April. Leaders in the victim service community, along with a courageous survivor, shared their knowledge and concerns regarding victim services with listeners throughout the state. Sacramento County District Attorney Jan Scully moderated the first day with sessions on human trafficking, sexual assault, barriers and solutions. El Dorado County District Attorney Vern Pierson moderated the second day of discussions, which addressed domestic violence, physical assault, along with victim healing, coping and resources.

Domestic Violence Awareness Month

- Sponsored *Suited for Successful Families Donation Drive* in October, expanding upon "Suited for Success," by including child victims of domestic violence. CalVCP collaborated with over a dozen agencies and businesses and presented over 7,300 clothing items to five local nonprofits, nearly quadrupling the previous year's efforts.
- Released a domestic violence resource kit to help spread awareness of domestic violence and provide resources to help victims. The kit contained downloadable materials that included web banners, graphics, posters, and fliers.
- Released a video PSA online.
- Received radio coverage on KNTY/KHHM.

Outreach

- Chairperson Batjer and Executive Officer Nauman met with Yolo County District Attorney Jeff Reisig and victim advocates and attorneys who collaborate with local non-profits in order to provide services, resources, and support for victims as they navigate the criminal justice process.
- Strengthened county and advocate partnerships.
- Increased program education and awareness through event participation and training to advocates, first responders, service providers, stakeholders, and the public.

Chairperson Batjer thanked Executive Officer Nauman for her report. She commended Ms. Nauman for her superior leadership with staff as well as her outreach efforts to victims and governmental entities.

Board member Ramos stated that Executive Officer Nauman and her staff have done a tremendous job over the many years that he has served on the Board.

Item 4. Contract Report

The Board approved the following two contracts:

INX LLC, a Presidio Company 3VCGC181

The Board approved the contract for maintenance renewal of the VCGCB's VMware licenses in the amount of \$24,653.84.

Evolve

The Board approved the purchase order in the amount of \$12,710.95 for hardware, software, installation, configuration and three years of maintenance and support for wireless access for the Board meeting room and the VCGCB.

Item 5. Government Claims Program

Consent Agenda (Nos. 1-375)

The Board adopted the staff recommendations for item numbers 1-375, with the exception of item number 64 which was removed for further review by staff and items numbers 335 and 373 which were removed to allow the claimants an opportunity to address the Board.

Consent Agenda Appearance

Item 335, G613842

Claim of Marie Keosseian

Noah Jussim, attorney, MCGUIRE WOODS, attended on behalf of Marie Keosseian.
Jill Scally, Deputy Attorney General, attended on behalf of the California Attorney General's Office.

Nicholas Wagner, Government Claims Program Manager, explained that Marie Keosseian, represented by an attorney, requested leave to present a late claim for compensation from the California State Board of Pharmacy in an amount exceeding \$150,000.00 for wrongful termination. Mr. Wagner stated that Government Claims Program staff recommended that the Board deny the late application for failure to meet the criteria required in Government Code section 911.6. Further, Mr. Wagner stated that staff recommended that the Board reject the claim.

Mr. Jussim stated that Ms. Keosseian's claim was not a late claim; rather, it was a contractual claim brought within one year thereby making it timely. He explained that Ms. Keosseian is a pharmacist and his law office primarily represents pharmacies and pharmacists. He stated that Ms. Keosseian submitted her license renewal form with a check to the Board of Pharmacy, but there was an omission. On September 25, 2012, the Board of Pharmacy wrote Ms. Keosseian notifying her of the omission and requesting that she provide the information within 30 days and thereafter her license would be renewed. Ms. Keosseian completed the form then mailed it regular mail. Mr. Jussim stated that, pursuant to the Board of Pharmacy, Ms. Keosseian did not have 30 days to respond; instead, she only had until October 1, 2012. Ms. Keosseian's form was not received by the Board of Pharmacy on October 1, 2012; consequently, on that date her license was deactivated. One day later, on October 2, 2012, her license was activated. He explained that on October 1, 2012, Ms. Keosseian was working at a pharmacy unlicensed and was terminated as a result of performing duties as a pharmacist on that day. He stated that Ms. Keosseian detrimentally relied on the statement of the Board of Pharmacy that she had 30 days to submit the information, making it a contract claim. He explained that although there was no consideration between Ms. Keosseian and the Board of Pharmacy, they made a promise to her that she had 30 days, she relied on that statement and, as a result, she suffered injuries. Further, Mr. Jussim stated that the claim was submitted to the Board within one year of the injury that occurred on October 1, 2012, therefore the claim was timely.

Ms. Scally stated that the Attorney General's Office's position was there was no contract. She explained that licensing is dictated by the Business and Professions Code and the Board of Pharmacy is not competent to enter into a contract regarding licensing. Furthermore, there were no facts that would amount to a contract under any analysis. She explained that in order to have a contract, there must be a mutual agreement, an offer, an acceptance, and consideration. Detrimental reliance is a substitute for consideration; it does not form the basis of a contract. She cited *Baillargeon v. Department of Water & Power*, 69 Cal. App. 3d 670 in support of her statement. She explained that licensing issues are within the Tort Claims Act; they are not within the contracting

clauses of the Government Code. Lastly, Ms. Scally stated that, pursuant to the Public Contract Code, State contracts must be in writing.

Mr. Jussim stated that the license was not the contract; instead, it was the letter from the Board of Pharmacy dated September 25, 2012. He quoted the following from the letter: "If you do not respond to this letter within 30 days, your license will be placed on inactive status."

Chairperson Batjer asked Mr. Jussim to provide the date of the letter and asked when Ms. Keosseian responded.

Mr. Jussim stated that the letter was dated September 25, 2012, and Ms. Keosseian responded on the same day; however, it was received on October 2, 2012, not on October 1, 2012. He explained that the written document, coupled with Ms. Keosseian's detrimental reliance, is the contract. Her claim would not fall under any of the other categories that would put her claim under the six-month statute of limitations. Her claim should fall under the one-year statute of limitations.

Ms. Scally stated that Business and Professions Code section 4231(c) prohibits the Board of Pharmacy from renewing a license without payment of the renewal fee and the submission of proof of continuing education. The Board of Pharmacy did not have proof of continuing education and were prohibited, by statute, from renewing Ms. Keosseian's license, which expired on September 30, 2012.

Chairperson asked Ms. Scally whether it was a timeliness issue as well as proof of continuing education that was not evident.

Ms. Scally stated that, by operation of law, Ms. Keosseian's license expired at the end of the day on September 30th. The Board of Pharmacy was not competent to contract out of the statutory mandate. She explained that there was no mutual agreement between Ms. Keosseian and the Board of Pharmacy so there was no contract. She commented that there may have been a misrepresentation by the Board of Pharmacy, but that would fall under the Tort Claims Act, a six-month statute.

Mr. Jussim-stated that he agreed with Ms. Scally regarding the Board of Pharmacy's power under the statute; however, he explained that the problem was the contents of letter because it stated that Ms. Keosseian had to respond within 30 days. There was a mutuality of understanding that Ms. Keosseian had 30 days to respond so there was a meeting of the minds. He added that the Board of Pharmacy did not perform as it said it would which is a contract.

The Board denied the late application and rejected the claim.

Consent Agenda Appearance

Item 373, G614945

Claim of Nancy J. Bothwell

Nancy Bothwell appeared and addressed the Board. Jill Scally, Deputy Attorney General, appeared and addressed the Board on behalf of the California Attorney General's Office.

Nicholas Wagner, Government Claims Program Manager, explained that Nancy Bothwell requested leave to present a late claim for compensation from the California Department of Resources, Recycling and Recovery (CalRecycle) and the State Controller's Office (SCO) in an amount exceeding \$141,155.29 for the value of two warrants, interest, malfeasance, legal fees, and pain and suffering. Mr. Wagner stated that GCP staff recommended that the Board deny the late

application for failure to meet the criteria required in Government Code section 911.6 and reject the claim.

Ms. Bothwell informed the Board that she amended her government claim in response to the staff recommendation to deny her late claim. Ms. Bothwell explained that in June 2012, Watson Gin, her friend and significant other, was employed by the State of California for over 35 years and passed away suddenly in his home at the age of 57. Mark Leary, who was employed by CalRecycle, notified her of Mr. Gin's passing and informed her that she was his beneficiary. She stated that although she is an attorney, she did not understand what a "beneficiary" meant; consequently, in the days following Mr. Gin's passing, she sought to find out what it meant to be a beneficiary on several occasions, asked what document Mr. Gin signed, and inquired the reason that she was given two checks totaling over \$100,000. Mr. Leary told her that she could not see the document that Mr. Gin signed because it was part of his personnel file which was confidential; however, she was informed that the Designation of Person(s) Authorized to Receive Warrants form signed by Mr. Gin meant that she was authorized to receive two warrants totaling over \$100,000 that represented Mr. Gin's overtime and vacation pay. Three days after Mr. Gin's passing, she stated that she was asked to go to CalRecycle, was given two warrants, and also advised that she needed to clean out Mr. Gin's office. At that time, she again asked what it meant to be a beneficiary. She explained that she took the warrants home and discovered that they were made payable to the decedent; therefore, she could not negotiate them. The following day, she and the decedent's brother went to CalRecycle and cleaned out Mr. Gin's desk. She gave his brother the warrants because she thought the money would be taken out in a probate proceeding later. In February 2013, less than one year later, she received a 1099 from the State Controller's Office that indicated that she received income over \$100,000, but no other details were provided; therefore, she thought that she received it in error. Her accountant discovered that there was a social security number provided on the form that belonged to Mr. Gin, which was the first time that she had knowledge that she could have a tax consequence. In February 2013, following receipt of the 1099, she and her accountant tried to determine the source of the income. They contacted the State Controller's Office and CalRecycle to determine the reason that the 1099 was sent to her. As a result, she was given an opportunity to see the document that Mr. Gin signed and was finally sent a copy of the checks cashed by Mr. Gin's estate. The only information that the State Controller's Office and CalRecycle could tell her was that she needed to consult an attorney. She explained that in July 2013 she filed an amended tax return in an attempt to correct the problem. On November 8, 2013, the IRS informed her that the only way that she could correct the 1099 would be to contact the payer, the State Controller's Office, which she stated she had done repeatedly previously. She explained that she eventually discovered that the State Administrative Manual (SAM) requires a State agency to deliver the warrant to the designee, the designee must be given the ability to negotiate the check, and an endorsement must be included on the back of the check, which did not occur in her case. She stated that the State failed to carry out the wishes of its employee of over 30 years because they failed to provide proper advice and failed to endorse the warrants. She commented that she was under tremendous stress because she was unsure how she would be able to pay over \$30,000 for the tax liability. Ms. Bothwell stated that she her claim was timely because it was filed within one year that she first had knowledge, which was February 2013, the day she received the 1099. Therefore, pursuant to Government Code section 911.2, her claim was timely. She explained that, pursuant to Government Code section 911.6, the Board shall grant an application where failure to present the claim was due to mistake, inadvertence, surprise or excusable neglect. She explained that she pursued her claim from the beginning, but was given mistaken advice from CalRecycle and the SCO on numerous occasions. She stated that as proof of the continuing wrong, on November 25, 2013, she received a warrant in the amount of \$5.35 from CalRecycle made payable to the decedent that was not endorsed. She commented that she was unsure how many more warrants she would receive and whether they would pose a tax liability for her again. On December 12th she sent a letter to CalRecycle explaining that she could not endorse the check. She received a response from

CalRecycle on December 27 denying liability, but informing her that if she wanted the warrant endorsed, she could send it back, which, in her opinion, was an admission that they were liable in June 2012. Ms. Bothwell stated that the State placed her in an untenable position and, as a result, she suffered emotional distress, incurred attorneys' and accountant fees, has a tax liability, and loss of funds that were designated to her by the decedent.

Chairperson Batjer offered her condolences to Ms. Bothwell for the loss of her friend. She asked Ms. Bothwell to provide the name and position of the person who gave her the warrants three days following the passing of her friend and asked what ultimately happened to the checks.

Ms. Bothwell stated that Frank Townsend, CalRecycle personnel staff, handed her the warrants, but she did not believe that he was still employed there. She explained that she gave the warrants to Mr. Gin's brother on the day they cleaned Mr. Gin's office because they were made payable to the decedent. She further explained that the checks were made a part of the estate and were ultimately cashed.

Ms. Scally stated that on June 22, 2012, the date that Ms. Bothwell was given the warrants that she could not negotiate and when she was also told that she was entitled to those warrants would put a reasonable person on notice on that date that their claim had accrued then, which was more than a year prior to the filing of her late claim. In addition, in February 2013 when Ms. Bothwell received the 1099, it would have further confirmed that she had a problem resulting from receipt of the non-negotiable warrants to which she was told she was entitled. Her claim accrued on June 2013 and Ms. Bothwell did not need to have full knowledge of the facts; she only needed to have enough information that would put a reasonably prudent person on notice that they had a claim. She further explained that Ms. Bothwell's efforts to try to correct the situation on her own was a separate matter that would not affect the date that her claim would accrue.

Board members Chivaro and Ramos voted to adopt the staff recommendation to deny the late application and reject the claim.

Chairperson Batjer voted to oppose the staff recommendation.

The Board voted 2-1 in favor of the staff recommendation.

Item 6. Claim of Mid-Century Insurance
Claim Number G612095

Nicholas Wagner, Government Claims Program Manager, explained that Mid-Century Insurance sought compensation from the California Department of Transportation in the amount of \$12,660.08 for damage to their insured driver's vehicle and the deductible. Mr. Wagner stated that GCP staff recommended that the Board partially allow the claim in the amount of \$11,660.08. He further stated that Mid-Century Insurance confirmed, in writing, their acceptance of the settlement amount. The Board partially allowed the claim in the amount of \$11,660.08.

Item 7. Claim of San Lorenzo Valley Unified School District
Claim Number G612428

Clayton Hass was in attendance on behalf of the Department of Conservation.

Nicholas Wagner, Government Claims Program Manager, explained that San Lorenzo Valley Unified School District requested re-issuance of six stale-dated warrants totaling \$86,031.75. He stated that GCP staff recommended that the Board allow the claim in the amount of \$86,031.75.

The Board allowed the claim in the amount of \$86,031.75.

Item 8. Claim of Rival Well Services, Inc.

Claim Number G614657

Clayton Hass was in attendance on behalf of the Department of Conservation.

Nicholas Wagner, Government Claims Program Manager, explained that Rival Well Services, Inc. requested compensation in the amount of \$373,618.14 from the California Department of Conservation for unpaid invoices. He stated that GCP staff recommended that the Board allow the claim be allowed in the amount of \$373,618.14 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$373,618.14.

Item 9. Applications for Discharge From Accountability for Collection

The item was removed from the agenda.

Item 10. Claim of Rafael Madrigal, Jr. (Pen. Code, § 4900 et seq.)

The claim was continued to the February 20, 2014, meeting.

Item 11. Request for Approval to Submit the California Government Claims Program Regulations Rulemaking Record to the Office of Administrative Law (title 2, §§ 630, 631, 631.5, 632, 632.5, 632.6, 632.7, 632.8, 632.9, 632.10, and 632.11)

Mindy Fox, Deputy Executive Officer, Government Claims Program and Victim Compensation Program, explained that on September 19, 2013, the Board authorized the Government Claims Program (GCP) to proceed with regulatory action to implement numerous program changes. After receiving Board approval to proceed with the proposed regulatory action, GCP filed all of the proposed regulations and the Initial Statement of Reasons with the Office of Administrative Law. The Notice was sent to all interested parties and placed on the Board's website. GCP held two public hearings regarding the proposed regulations on October 30, 2013, and November 26, 2013.

After receiving and carefully considering comments from the public, GCP made grammatical, punctuation, and citation revisions to the regulations. After the revisions were made and reposted on the Board's website, GCP conducted a follow up 15-day public comment period. No comments were received during the follow up comment period. Ms. Fox stated that GCP recommended that the Board adopt the proposed regulation and authorize the Executive Officer to file the rulemaking record with the Office of Administrative Law for its review and approval.

The Board adopted the staff recommendation and authorized the Executive Officer to file the rulemaking record with the Office of Administrative Law.

Closed Session

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Executive Officer and Chief Counsel at 11:04 a.m. to deliberate on proposed decision numbers 1-79.

Open Session

The Board reconvened into open session at 11:23 a.m. The Board adopted the proposed decisions for numbers 1-79, with the exception of numbers 15 (A08-1576255) and 78 (A13-4031753) which were referred back to staff.

The Board meeting adjourned at 11:24 a.m.