

CALIFORNIA JOINT POWERS RISK MANAGEMENT AUTHORITY EXECUTIVE COMMITTEE MEETING

April 27, 2016 - 10:00 A.M.

City of Lodi Carnegie Forum 305 West Pine Street, 95240 209-333-6800

Dial in # 866-866-2244 Participant Code: 1098199

- 1. City of Livermore, 305 West Pine Street, 95240
 - 2. City of Lodi, 305 West Pine Street, 95240
 - 3. NCCSIF, 305 West Pine Street, 95240
- 4. City of Richmond, 305 West Pine Street, 95240
- 5. City of Roseville, 305 West Pine Street, 95240
 - 6. SCORE, 305 West Pine Street, 95240
- 7. City of Vacaville, 650 Merchant Street, Vacaville, CA 95688
 - 8. Gibbons & Conley, 305 West Pine Street, 95240

AGENDA

- **I. CALL TO ORDER:** 10:00 A.M.
- II. ROLL CALL
- III. PRESENTATIONS
 - None

IV. APPROVAL OF MINUTES

• Minutes of the Executive Committee meeting held February 12, 2016 (Pages 3 - 8)

V. COMMUNICATIONS

- 1. Executive Committee Members
- 2. General Manager/Secretary
- 3. Next Scheduled Meetings: Annual Membership Meeting (05/17-05/19/2016) Seascape

Executive Committee (7/21/2016) TBD

VI. CONSENT CALENDAR

None

VII. THIS TIME IS RESERVED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE EXECUTIVE COMMITTEE ON MATTERS OF EXECUTIVE COMMITTEE BUSINESS

Per Government Code section 54954.2, persons requesting disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact CJPRMA at (925) 837-0667 24 hours in advance of the meeting.

VIII. ACTION CALENDAR (I) Information Item (A) Action Item

- **1.** Business Calendar for 2016 (*I*) (Pages 9 12)
- **2.** Succession Planning (*I*) (Page 13)
- 3. Discussion on Implementation of Property Program Experience Rating (I) (Pages 14 20)
- **4.** Discussion on Implementation of Auto Physical Damage Program Experience Rating (*I*) (Pages 21 26)
- **5.** Status Update on the Property Program (*I*) (Pages 27 28)
- **6.** Approval of the Risk Management Analyst Job Description and Compensation Range (*A*) (Pages 29 33)
- **7.** Risk Management Issues (*I*) (Page 34)

IX. CLOSED SESSION

1. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Dani, B v. City of Fremont

Court: Superior Court of California, County of Alameda

Case No.: RG14711592

2. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Arash Akbarieh v. City of Chico

Court: Superior United States District Court, Eastern District of California

Case No.: 2:13-CV-01816-KJM-DAD

3. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Joshua Avila v. City of Roseville Court: Superior Court of California, County of Placer

Case No.: SCV0035285

4. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Gorla Veeru v. City of Santa Clara

Court: Superior Court of California, County of Santa Clara

Case No.: 114CV262389

IX. ACTION ON CLOSED SESSION ITEMS

X. ADJOURNMENT

Per Government Code section 54954.2, persons requesting disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact CJPRMA at (925) 837-0667 24 hours in advance of the meeting.



EXECUTIVE COMMITTEE MEETING February 12, 2016 - 10:00 A.M.

City of Vacaville
Vacaville City Hall, Human Resources Department
650 Merchant Street
Vacaville, CA 95688
707-449-5101

Dial in # 866-866-2244 Participant Code: 1098199

- 1. City of Livermore, 650 Merchant Street, Vacaville, CA 95688
 - 2. City of Lodi, 650 Merchant Street, Vacaville, CA 95688
 - 3. NCCSIF, 380 Civic Drive Galt, CA 95632
- 4. City of Richmond, 650 Merchant Street, Vacaville, CA 95688
 - 5. SCORE, 650 Merchant Street, Vacaville, CA 95688
- 6. City of Vacaville, 650 Merchant Street, Vacaville, CA 95688
- 7. Gibbons & Conley, 650 Merchant Street, Vacaville, CA 95688

MINUTES

I. CALL TO ORDER:

• President Hamilton called the meeting to order at 10:00a.m.

II. ROLL CALL

PRESENT

- 1) Janet Hamilton, *Livermore*
- 2) Paula Islas, NCCSIF
- 3) Roger Carroll, SCORE
- 4) Kim Greer, Richmond

- 5) Celeste Garrett, Vacaville
- 6) Janice Magdich, Lodi
- 7) David Rawe, Roseville

ABSENT

None

OTHERS PRESENT

- 8) David Clovis, CJPRMA
- 9) Chris Carmona, Redding
- 10) Byrne Conley, Gibbons & Conley
- 11) Craig Schweikhard, CJPRMA
- 12) Saima Kumar, CJPRMA
- 13) Dr. William Deeb, Aon

III. PRESENTATIONS

None

IV. APPROVAL OF MINUTES

• A motion was made by Director Garrett and seconded by Director Magdich to approve the minutes of December 04th, 2015 and December 17th, 2015 Executive Committee meeting. Directors Hamilton, Carroll, Greer, Islas, Magdich, Garrett and Rawe voted for the approval of the minutes. Motion passed.

V. COMMUNICATIONS

- 1. Executive Committee Members
- 2. General Manager/Secretary
- 3. Next Scheduled Meetings: Board of Directors (03/17/2016) CJPRMA Office

Executive Committee (4/27/2016) City of Lodi

VI. CONSENT CALENDAR

None

VII. THIS TIME IS RESERVED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE EXECUTIVE COMMITTEE ON MATTERS OF EXECUTIVE COMMITTEE BUSINESS

VIII. ACTION CALENDAR

1. Business Calendar for 2016

The CJPRMA 2016 Business Calendar was provided as a standing agenda item for the Executive Committee. This calendar provides Committee members and staff with a listing of key business items and the required dates for completion.

No action was required on this item.

2. Succession Planning

This is a standing agenda item. The Executive Committee and the general manager have begun preliminary discussions regarding a succession plan for CJPRMA. The general manager discussed adding a new staff position to CJPRMA. He said based on the workload of the general manager and the organization he has determined that adding a Risk Management Analyst position to CJPRMA current staff would be beneficial. He presented a draft specification of the job description to the committee. He said that he would engage the services of CPS to do a salary survey and job specification. He also stated that he will bring this matter back to the Executive Committee for a review and recommendations before presenting it to the full Board for approval.

Direction was given to the general manager to go ahead with the salary survey and job specification.

3. Status Update on Ad hoc Committees (I)

The general manager provided status updates on the Property Program Ad hoc Committee and the Claims Audit Ad hoc Committee that were appointed by President Hamilton at the December 2015 board meeting. He provided updates on what each ad hoc committee worked on. He stated that the Claims Audit Committee worked on creating claims processing and audit standard documents. He said that once the audit standards are completed they will be presented to the Executive Committee and the Board for approval.

The general manager also updated the Committee on the property program committee's progress on creating and reviewing multiple options for applying cost adjustment tools to members sustaining disproportional loss or losses. He said that the Ad hoc Committee is still working on a resolution that will be presented at their next scheduled meeting March 2, 2016.

No action was required on this item. It was for information only.

4. Report on Aon Property Symposium (A)

The general manager informed the Executive Committee that he attended the Aon Property Symposium in February were he met with various property program underwriters. He reported out on key property program items that CJPRMA is currently looking at. He said those items include providing DIC coverage to the program members. At the conference he was able to meet with various underwriters and discuss CJPRMA's needs for the property program and was really looking forward to working on getting an enhanced property program put together.

No action was required on this item. It was for information only.

5. Board Counsel Contract Renewal (A)

The general manager informed the Executive Committee that he received an email, dated February 4, 2016, from Board Counsel and the firm of Gibbons and Conley requesting an increase in the rate for their services. He stated that the Board of Directors adopted the current rate in January of 2009. The current rates are \$165/hour for attorneys, \$85/hour for paralegals, and 2.5% for overhead. The new proposed rates are \$185/hour for attorneys, \$98/hour for paralegals, and 2.5% for overhead charge.

The general manager stated that the current rates have not changed since 2009 and the new rates are low in comparison to the rates charged by outside counsel's representing our members.

A motion was made by Director Islas and seconded by Director Magdich to approve the new rates for Board Counsel to \$185/hour for attorneys, \$85/hour for paralegals, and 2.5% for overhead. Directors Hamilton, Carroll, Greer, Islas, Magdich, Garrett and Rawe voted for the approval of the rate increase. Motion passed.

6. Risk Management Issues

Director Greer wanted members to be aware of a city's obligation to notify contractors of potential hazards. She said failure to do so can result in fines and lawsuits.

Director Quintana shared City of Vallejo's amended ordinance for authority related to a traffic engineer being designated as the authority on behalf of Council. This amended ordinance clarified that their traffic engineer has authority to approve a design or plan of construction or improvement for purpose of statutory design immunity. The general manager recommended having CJPRMA members look into making the same changes for all of our members.

7. Award Contract for Services for Claims Auditor for 2015-2016 Program Year

The general manager presented the proposed contract for the claims audit function for the program year 2015-2016. He said that staff worked on getting informal bids for the current program year. He also said that in the event that none of the quotes provided were acceptable, CJPRMA would continue with Mr. Craig Bowlus for one additional year and perform a formal RFP later in the year.

The following quotes were obtained by CJPRMA:

Craig Bowlus	175 files	\$43,750
Robert Powers	175 files	\$36,500
Rick Buys	175 files	\$30,782

The quote provided by Mr. Bowlus would be an increase of \$18,750 from the prior year. The general manager also reminded the Executive Committee that the Aon Risk Services Contract includes \$25,000 of user fees generated by any Aon Consultant during the policy period. This fee can be applied towards other services if Mr. Bowlus does not preform the audit. The general manager stated that all quotes include transportation, lodging and the preparation of reports. CJPRMA will be provided with all documents and will produce final reports for the members. The general manager said that the quote provided by Mr. Rick Buys is approximately \$13,000 less than the quote provided by Aon. The general manager and staff said that based on the information and the quote provided by Mr. Buys, it is their recommendation to approve a one-year agreement for services with Mr. Buys.

Director Magdich asked if we would get a one-year agreement with an option to renew with a rate guarantee. Director Greer stated that if Mr. Buys provides excellent work than we can think about extending the contract for next year.

A motion by Director Greer, seconded by Director Carroll to authorize the general manager to execute a one-year agreement for claims audit services with Mr. Rick Buys. Directors Hamilton, Carroll, Greer, Islas, Magdich, Garrett and Rawe voted for the approval of the motion. Motion passed.

IX. CLOSED SESSION

1. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Perez v. City of Richmond

Court: United States District Court – Northern District of California

Case No.: C 15-00256 WHA

2. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Pending Litigation

Name of Case: Milan v. City of Vallejo

Court: Superior Court of California, County of Solano

Case No.: FCS042585

3. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Plummer v. City of Richmond

Court: United States District Court – Northern District of California

Case No.: NO 3:14 - CV - 03962

X. ACTION ON CLOSED SESSION ITEMS

The general manager provided status update on all three of the closed session items.

XI. ADJOURNMENT

A motion was made by Director Carroll and seconded by Director Rawe to adjourn the meeting at 12:11 p.m. Directors Hamilton, Carroll, Greer, Islas, Magdich, Garrett and Rawe voted to adjourn the meeting. Motion passed.

AGENDA BILL

ITEM: 1	TITLE: BUSINESS CALENDAR FOR 2016
MEETING: 04/27/2016	
GENERAL MANAGER:	

Recommended Actions:

None: This item is being provided for information only.

Strategic Direction:

This item addresses Strategic Goal 2, Member Education and Training Initiative.

Item Explanation:

The CJPRMA 2016 Business Calendar will be provided as a standing agenda item for Executive Committee meetings. This calendar provides board members and staff with a listing of key business items and the required dates for completion.

Fiscal Impact:

None

Exhibits:

1. CJPRMA 2016 Business Calendar



2016 BUSINESS CALENDAR

January

- Distribution of Executive Committee Agenda 1/14/2016
- Executive Committee Meeting 01/21/2016
- Member Quarterly Payroll Reports 01/29/2016
- Distribution of Summary of Property Values
- Distribution of Summary of APD Values
- Distribution of Summary of Boiler & Machinery Values

February

- FPPC Form 700 Filing Requests Sent Out
- PARMA Conference (02/23/2016 02/26/2016)
- Deadline for Members to submit Agenda items for March Meeting 02/18/2016
- Redistribution of Equity Checks
- Return APD, Property and Boiler & Machinery Renewals Lists to Staff

March

- Distribution of Board of Directors Meeting Agenda 03/10/2016
- Board of Directors Meeting 03/17/2016
- Annual Meeting Room Requests

April

- FPPC Form 700 Filing Deadline April 1, 2016
- Distribution of Executive Committee Meeting Agenda 04/14/2016
- Executive Committee Meeting 04/27/2016
- Distribution of Certificate of Coverage Renewals Lists
- Requests for Nominations for President/Vice President (Bi-annually)
- Deadline for Members to submit Agenda items for Annual Meeting 04/28/2016
- ARM 55 Class (04/20/2016 04/22/2016)
- Distribute nomination for President and Vice President (even numbered years)
- Member Quarterly Payroll Reports 04/30/2016

May

- Distribution of Board of Directors Annual Meeting Agenda 05/10/2016
- Board of Directors Annual Meeting 05/17/2016 05/19/2016
 - o Commercial Insurance Renewals
 - o Proposed Budget for 2016–2017
 - o Claims Audit Presentation
 - o AB 1234 Ethics Training (even numbered years)
- Return Certificate of Coverage Renewals Lists to Staff
- Deadline for Members to submit Agenda items for June Meeting 05/26/2016

June

- Distribution of Board of Directors Meeting Agenda 06/9/2016
- CJPRMA Board Member Orientation TBD
- Board of Directors Meeting 06/16/2016
 - o Bi-annual election of President and Vice President (even numbered years)
 - o Election of Executive Committee Members
 - o Bi-annual Review of Conflict of Interest Code (odd numbered years)
 - Bi-annual Appointment of Treasurer (even numbered years)
- Certificates of Coverage Renewals mailed to certificate holders (6/30/2016)
- Risk Management Plan Revisions
- Requests for reimbursement of liability training expenses due by August 31,2016

July

- Distribution of Executive Committee Meeting Agenda 07/14/2016
- Executive Committee Meeting 07/21/2016
- · General Liability Premiums Billed
- Auto Physical Damage Program Premiums Billed
- Property Program Premiums Billed
- Boiler & Machinery Premiums Billed
- Member Quarterly Payroll Reports -07/31/2016

August

- Financial Audit in process
- · Actuarial Study in process

September

- Distribution of Executive Committee Agenda 09/08/2016
- Executive Committee Meeting 09/13/2016 at CAJPA
- CAJPA Conference 09/13/2016 09/16/2016

October

- Deadline for Members to submit Agenda items for October Meeting 10/06/2016
- Distribution of Board of Directors Meeting Agenda 10/20/2016
- Board of Directors Strategic Planning Meeting 10/26/16 –10/27/16
 - o Actuarial Study Presented
 - Approval of Annual Meeting and Holiday Calendars
- Member Quarterly Payroll Reports 10/31/2016

November

- Distribution of Executive Committee Meeting Agenda 11/10/2016
- Executive Committee Meeting 11/17/2016
- Deadline for Members to submit Agenda items for December Meeting 11/23/2016

December

- Distribution of Board of Directors Meeting Agenda 12/8/2016
- Board of Directors Meeting 12/15/2016
 - o Annual Report Presented
 - o Financial Audit Presented
 - o Annual Review of Investment Policy
- Deadline for change to SIR or withdrawal from any CJPRMA program 12/31/2016

AGENDA BILL

<i>ITEM</i> : 2	TITLE: SUCCESSION PLANNING
MEETING: 04/27/2016	
GENERAL MANAGER:	

Recommended Actions:

None. There is no recommended action at this time.

Strategic Direction:

This item addresses all of the strategic goals of the organization.

Item Explanation:

The Executive Committee and the general manager began preliminary discussions regarding a succession plan for the future of CJPRMA. The general manager is contemplating retirement from the organization within the next five years and the Executive Committee requested that this committee create this item as a standing agenda item for review. As the succession plan develops, additional information will be included within future agenda bills. This agenda bill will provide the committee with an opportunity to prepare the organization for a seamless replacement of the general manager.

The general manager is currently working on developing a Risk Management Analyst job specification and salary compensation with the help of CPS consulting. This item will be addressed under a separate agenda bill.

Fiscal Impact:

1. None

Exhibits:

1. None

AGENDA BILL

<i>ITEM</i> : 3	TITLE: DISCUSSION ON IMPLEMENTATION OF PROPERTY PROGRAM EXPERIENCE RATING
MEETING: 04/27/2016	PROPERTY PROGRAM EXPERIENCE RATING
GENERAL MANAGER:	

Recommended Actions:

Staff recommends the Executive Committee review the proposed Property Program experience rating methodology and provide direction to the general manager for modifications to be discussed at the May Board of Directors meeting.

Strategic Direction:

This item addresses Strategic Goal 1 Core Products and Services Innovation.

Item Explanation:

The general manager presented the Board of Directors with options for implementing a property program experience rating element to go into effect July 1, 2016. There was significant discussion by members of the program and there was not a formal consensus on the issue. The general manager requested that the Board of Directors table the item until the May meeting. He also advised the Board of Directors that the Executive Committee would review the options and provide feedback to the general manager for the May meeting.

A copy of the agenda bill provided to the Board of Directors at the March board meeting has been attached to this agenda as exhibit one.

The general manager provided the Board of Directors with several options for developing an experience rating for the property program. The three primary options for consideration and discussion at the Executive Committee are the following:

- 1. Based upon stated criteria, members with an adverse loss ratio of X (a percentage determined by the program members) would contribute additional premium contributions for other members for the program year.
- 2. Any member with an experience rating of 250% or greater would be subject to the enhanced deductible. Any single loss or aggregate losses in excess of \$1,000,000 in any program year would be subject to the additional deductible. The amount of the additional deductible in excess of the above losses would be 10%.

3. A member with an adverse loss history would be voted out of the program by the current members.

The general manager will discuss the property program experience rating options with the Executive Committee and will use the information to provide an updated recommendation to the Board of Directors at the annual meeting.

No formal action required on this agenda bill.

Fiscal Impact:

None at this time.

Exhibits:

1. 03/17/2016 Property Program Experience Rating Agenda Bill

AGENDA BILL

<i>ITEM:</i> 3	TITLE: IMPLEMENTATION OF PROPERTY PROGRAM
MEETING: 03/17/2016	EXPERIENCE RATING
GENERAL MANAGER:	

Recommended Actions:

Staff recommends the members of the Property Program adopt the experience rating formula effective July 1, 2016.

Strategic Direction:

This item addresses Strategic Goal 1 Core Products and Services Innovation.

Item Explanation:

President Hamilton appointed an Ad-hoc Committee at the December Board of Directors meeting to evaluate options for implementing an experience rating option for the Property Program and the Auto Physical Damage Program (APD). The committee met three times and at the final meeting on March 2nd agreed their work had been completed. The committee agreed to refer the matter to the Property Program and APD program participants for consideration.

The general manager led the process for the Ad hoc Property Program Committee. The committee reviewed a statistical breakdown of all losses for the previous five program years. A copy of this document is included in this agenda bill along with the handout materials provided to the committee. The data demonstrates the significant impact on the program arising out of the catastrophic loss sustained by one of the property program members. As a result of this data, the committee reviewed multiple options for applying a cost adjustment tool to a member sustaining a disproportional loss or losses. The committee reviewed and discussed rate stabilization tools including increased deductibles, extended deductibles on catastrophic losses, increased premium contributions and premium surcharges.

History:

CJPRMA conducted the annual property renewal process for the PY 2015-2016. As a result of the major property loss sustained by the City of Stockton the renewal quotation provided by Munich Re included a minimum of a 19% cost increase for all members of the property program. Alternatively, AON Risk Services was able to identify an alternative carrier, AIG to provide a quotation at a greatly reduced rate. Multiple members of the property program expressed a concern over moving to AIG specifically in light of the action taken by Starr Indemnity Company on the liability program.

<u>Underlying Facts regarding the fire loss</u>: On June 4, 2014 the Earl Hotel, a 45,296 square foot hotel, which was built in 1910, sustained total damage arising out of a fire. The fire inspectors ultimately determined the cause of loss to be from a propane stove or other device operated by the homeless that occupied the structure. During the suppression operation a neighboring structure also sustained damage due to water infiltration.

The City of Stockton purchased this building in 2001 in the amount of under \$500,000 in lieu of condemnation, we are informed. The building was purchased pursuant to economic development in the downtown area. The City planned on demolishing the building to be replaced with a parking lot or other structure. Preservationists sued to stop the demolition but the City prevailed; however the City lacked the funds to complete the planned demolition once the litigation was over.

During the ownership period Stockton attempted to safeguard the structure utilizing chain link fencing to avoid occupation of the structure by vagrants and the homeless. The City's efforts failed and they ultimately ceased enforcement of preventing occupation. The loss and damage to the structure was caused by the persons occupying the structure. Stockton firefighters indicate that continual squatters and vandals made holes in the floors and walls, which caused the fire to spread faster, and made the fire more dangerous. The City was ineffective in preventing occupation of the structure and their failure ultimately resulted in a catastrophic loss. This failure to expend resources to protect the structure indicates an ineffective risk management program regarding infrastructure protection.

This structure was added to the CJPRMA property program in the 2008/09-program year. The appraised replacement value of the structure was \$8,834,000. The overall loss of the structure was in the amount of \$10,029,715.78. The loss exhausted all of the limits provided by Munich Re and also impacted the XL insurance layer.

<u>Coverage placement issues</u>: CJPRMA was able to avoid the 19% increase quoted by Munich Re by moving the property program from Munich Re to AIG, which was willing to lower the property quote in order to secure business. However, the markets we were able to approach were considerably narrowed because of the loss. None of the other carriers would have furnished a quote significantly better than the Munich Re quote. AIG was willing to maintain the lower quote because it is in an aggressive marketing mode and also in part, because CJPRMA changed its memorandum of coverage to limit coverage for vacant properties, not to exceed a stated fair market value.

The issue illustrates a problem in that it is the property program's largest loss and demonstrates how a single, large loss can affect the premiums for the entire purchasing group. Further the loss is on our history for future group purchases and may yet affect future placements. The question arises whether the program should have a policy and procedure in place to anticipate large occurrences. It is better to address the matter now rather than after another such occurrence. The goal is to maintain the advantages of a group purchase while being fair to program members in the allocation of premium.

Committee Evaluation:

The Ad-hoc Property Program Committee reviewed the issues associated with losses that have occurred in the property program and evaluated potential options for creating an experience rated method of allocating property costs. Staff contacted Mujtaba Datoo, Aon Risk Services Actuary Services, to discuss alternative means of calculating experience modification factors to members based upon losses.

Mr. Datoo stated that based upon the short duration of a property claim it would be reasonable to use a window of five years to review losses. In addition, Mr. Datoo also commented that losses could be capped to minimize the impact of a catastrophic loss to any one member in any program year.

The committee determined that the most appropriate method for evaluating members experience was a ratio of premiums paid to total dollars paid for claims. This is the same method utilized for worker's compensation programs when determining an experience rating method.

The following chart was created to evaluate the loss experience of each member compared to the total premium contributions.

Loss By Member	TIV %	Premiums Paid PY 10-11 thru 14-15	Total Losses	Loss Ratio %	% of Losses	# Losses
Alameda	7%	\$ 758,379	\$0	0%	0.00%	0
Chico	2%	\$ 197,742	\$27,244	14%	0.24%	2
CJPRMA	2%	\$ 5,990	\$0	0%	0.00%	0
Fairfield	5%	\$ 635,595	\$0	0%	0.00%	0
Fremont	3%	\$ 358,992	\$0	0%	0.00%	0
Livermore	5%	\$ 473,521	\$194,415	41%	1.74%	3
Lodi	4%	\$ 505,648	\$0	0%	0.00%	0
Petaluma	2%	\$ 243,946	\$18,343	8%	0.16%	1
Redding	8%	\$ 819,877	\$132,151	16%	1.18%	2
Roseville	11%	\$ 1,211,398	\$2,261	0%	0.02%	1
San Leandro	3%	\$ 353,444	\$0	0%	0.00%	0
San Rafael	1%	\$ 165,192	\$0	0%	0.00%	0
Stockton	17%	\$ 1,839,178	\$10,203,675	555%	91.20%	2
Sunnyvale	5%	\$ 621,570	\$75,722	12%	0.68%	1
Vacaville	3%	\$ 376,022	\$0	0%	0.00%	0
Vallejo	5%	\$ 587,170	\$0	0%	0.00%	0
REMIF	17%	\$ 2,015,044	\$534,159	27%	4.77%	4
Total	1.1	\$ 11,168,708	\$11,187,970		100.00%	

This method of evaluating all losses demonstrates each member's loss ratio based upon premiums paid with total losses incurred. A loss ratio of above 100% indicates that the total losses exceed total premiums paid. The chart above identifies one experience ratio that exceeds 100%.

There are a number of different options that may be considered when implementing an experiencerating factor for the purpose of premiums. One method would be to assign a percentage increase on the base premium. This methodology would impact any members with an adverse loss experience for as many as five years impacting their annual contribution.

Another means of offsetting the impacts of a significant loss ratio would involve implementing alternative larger deductibles for the member(s) that have the most significant impact on the pricing of the program. This method appears to be the most reasonable and would only impact those members with an adverse loss history if they continue to experience significant losses. A member with an

adverse loss ratio, that has implemented effective measures to minimize losses, would not be adversely impacted by this approach to the program. The secondary benefit of this methodology would provide the other members of the program with a savings towards their contributions for the following year. The funds could also be used towards property risk management services if approved by the members of the program.

The recommendation for determining a weighting method would be based upon five years of claims data. The data collected would not include the current program year, as those losses would not have an opportunity to develop. Staff would produce an annual report to the participants at the May Board of Directors meeting identifying the amount of contribution by members impacting the program and would also identify any member that would be subject to the additional deductible based upon their five years of experience rating historical data.

Implementing an experience rating would require the program members to select a number of parameters that would be used to track and schedule the contributions:

- 1. The primary consideration would be to determine what experience rating would be the trigger that subjects the member to the additional deductible contribution. This may range from 100%, to 500%. Using any higher of a modifier would have little or no positive effect on members of the program. Staff recommends utilizing 250% as the modifier factor. That indicates that the member sustained losses that exceeded their contributions by 150%.
- 2. The next factor for consideration would be the size of loss that would trigger the additional deductible. This could range from any loss that exceeds \$500,000 up to \$1,000,000. Of course the program participants could determine this number to be higher or lower. Staff reviewed a number of options and has determined that a \$1,000,000 loss threshold would be reasonable. The loss history of the program demonstrates that losses of this size are rare and are not expected to continue. Staff also recommends that a member sustaining multiple losses in the same program year that exceed \$1,000,000 would also be subject to the additional deductible. These numbers would not include any deductibles paid or any recoveries or subrogation received for the claims.
- 3. The deductible amount is also a variable. We have evaluated a 10% additional deductible that minimizes the impact on any agency and also promotes effective risk management. Again, the program participants may consider a deductible of 5% up to 20%. Staff recommends the program participants adopt a 10% deductible.
- 4. Any member required to contribute to the excess deductible, will not receive a credit for their premium contributions.
- 5. There were also comments arising out of the committee that there should be no change in the program. One member of the committee stated they believe that it is not necessary to create any additional requirements on members. Their observation noted that the new vacant/unoccupied exclusion has already addressed the deficiency in the program and that no additional experience rating is required.

Staff presents this material to the program participants for consideration of all of the options presented. Staff recommends that the group adopt the recommendations for an experience rating deductible per the recommendations listed under points 1 through 5.

This experience-rating program would be as follows.

- 1. Any member with an experience rating of 250% or greater would be subject to the enhanced deductible.
- 2. Any single loss or aggregate losses in excess of \$1,000,000 in any program year would be subject to the additional deductible.
- 3. The amount of the additional deductible in excess of the above losses would be 10%.

Staff will be available to discuss the alternatives with the program participants. Program participants may elect to not implement this program and maintain the current program, this option is not recommended.

Fiscal Impact:

Unknown. There may be a positive impact on the annual premium contributions for members with reasonable experience ratings.

Exhibits:

- 1. 12/09/2015 Ad Hoc Property Committee Agenda with attachments
- 2. 01/26/2016 Ad Hoc Property Committee Agenda with attachments
- 3. 03/02/2016 Ad Hoc Property Committee Agenda with attachments

AGENDA BILL

ITEM: 4	TITLE: DISCUSSION OF IMPLEMENTATION OF AUTO
MEETING: 04/27/2016	PHYSICAL DAMAGE PROGRAM EXPERIENCE RATING
GENERAL MANAGER:	

Recommended Actions:

Staff recommends the Executive Committee review the proposed APD Program Experience Rating methodology and provide contributions to the general manager for modifications to be discussed at the May Board of Directors meeting.

Strategic Direction:

This item addresses Strategic Goal 1 Core Products and Services Innovation.

Item Explanation:

The general manager presented the Board of Directors with options for implementing an auto physical damage program experience rating element to go into effect July 1, 2016. There was significant discussion by members of the program and there was not a formal consensus on the issue. The general manager requested that the Board of Directors table the item until the May meeting. He also advised the Board of Directors that the Executive Committee would review the options and provide feedback to the general manager for the May meeting.

A copy of the agenda bill provided to the Board of Directors at the March meeting has been attached to this agenda as exhibit one.

The general manager provided the Board of Directors with several options for developing an experience rating program for the auto physical damage program. The three primary options for consideration and discussion at the Executive Committee are the following:

- 1. Based upon stated criteria, members with an adverse loss ratio of X (a percentage determined by the program members) would contribute additional premium contributions up to 25% for the program year.
- 2. A member with an experience rating of 250% or greater would be subject to an enhanced deductible. The loss threshold for this program will be \$250,000, based on any one loss or aggregate losses in any one program year. The enhanced deductible would be in the amount of 20% in addition to the existing deductibles within the program.

3. A member with an adverse loss history would be voted out of the program by the current members.

The general manager will discuss the auto physical damage program experience rating options with the Executive Committee and will use the information to provide an updated recommendation to the Board of Directors at the annual meeting.

No formal action required on this agenda bill.

Fiscal Impact:

None at this time.

Exhibits:

1. 03/17/2016 APD Program Experience Rating Agenda Bill

<u>AGENDA BILL</u>

ITEM: 4	TITLE: IMPLEMENTATION OF AUTO PHYSICAL
MEETING: 03/17/2016	DAMAGE PROGRAM EXPERIENCE RATING
GENERAL MANAGER:	

Recommended Actions:

Staff recommends the members of the Auto Physical Damage Program (APD) adopt the experience rating formula effective July 1, 2016.

Strategic Direction:

This item addresses Strategic Goal 1 Core Products and Services Innovation.

Item Explanation:

In the process for the creating a Property Program experience rating, the Ad hoc committee members suggested that the same experience rating should be applied to the Auto Physical Damage Program (APD). The committee discussed and evaluated the APD program and the impacts of adverse loss history to the members of the program. This program has experienced a significant increase in losses and the adverse loss history of members is significantly impacting the pricing of the programs. By implementing an APD experience-rating program we anticipate minimizing the effects of losses on members with better experience and also to encourage members with a poor experience to increase efforts in minimizing their losses.

History:

CJPRMA conducted the annual APD renewal process for the 2015-2016 year. The incumbent carrier Hanover identified members that have a history of significant losses and as such they implemented alternative deductibles for those participants. Staff monitors the APD losses and it appears that the minor increase in the deductible has yet to impact losses within the program.

Committee Evaluation:

The Ad-hoc Property Program Committee reviewed the issues associated with losses that have occurred in the APD program. The committee also discussed potential options for creating an experience rated method of allocating APD costs. Staff contacted Mujtaba Datoo, Aon Risk Services Actuary Services, to discuss alternative means of calculating experience modification factors to members based upon losses. Mr. Datoo stated that based upon the short duration of a property claim and an APD claim it would be reasonable to use a window of five years to review losses. In addition, Mr. Datoo also commented that losses could be capped to minimize the impact of a catastrophic loss to any one member in any program year.

The committee determined that the most appropriate method for evaluating members experience was a ratio of premiums paid to total dollars paid for claims. This is the same method utilized for worker's compensation programs when determining an experience rating method.

The following chart was created to evaluate the loss experience of each member compared to the total premium contributions.

LOSS BY MEMBER	P,	Y 14-15	PY 13-14	PY 12-13	PY 11-12	Premiums Paid / 10-11 thru 14-15	Total Losses	Loss Ratio %	% of Losses	# Losses	Premiums % per mem
Alameda	\$	54,051	\$ 40,755	\$ 37,655	\$ 31,626	\$ 164,087	\$20,135	12%	3.23%	1	8.68%
Chico	\$	37,625	\$ 28,408	\$ 27,636	\$ 27,103	\$ 120,772	\$177,994	147%	29.03%	9	6.39%
Fremont	\$	86,718	\$ 95,252	\$ 54,684	\$ 29,849	\$ 266,503	\$0.00	0%	0.00%	0	14.10%
Livermore	\$	26,801	\$ -	\$ -	\$ -	\$ 26,801	\$0.00	0%	0.00%	0	1.42%
Lodi	\$	39,647	\$ 34,697	\$ 32,797	\$ 26,067	\$ 133,208	\$36,878	28%	6.45%	2	7.05%
Petaluma	\$	16,638	\$ 13,461	\$ 13,360	\$ 11,273	\$ 54,732	\$0.00	0%	0.00%	0	2.90%
Redding	\$	85,330	\$ -	\$ -	\$ -	\$ 85,330	\$0	0%	0.00%	0	4.52%
San Leandro	\$	33,709	\$ 28,072	\$ 26,485	\$ 23,720	\$ 111,986	\$30,271	27%	3.23%	1	5.93%
Stockton	\$	74,613	\$ 64,625	\$ 61,599	\$ 39,952	\$ 240,789	\$270,391	112%	12.90%	4	12.74%
Sunnyvale	\$	36,710	\$ 29,375	\$ 28,870	\$ 27,623	\$ 122,578	\$0.00	0%	0.00%	0	6.49%
Vacaville	\$	38,617	\$ 31,340	\$ 31,786	\$ 13,544	\$ 115,287	\$84,782	74%	12.90%	4	6.10%
Vallejo	\$	32,688	\$ 28,624	\$ 28,700	\$ 29,859	\$ 119,871	\$1,232,977	1029%	29.03%	9	6.34%
REMIF	\$	96,137	\$ 80,791	\$ 76,623	\$ 74,196	\$ 327,747	\$18,385	6%	3.23%	1	17.34%
Total						\$ 1,889,691	\$1,871,812		100.00%	31	100.00%

The above chart includes four years of loss history. That is based upon the incumbent carrier Hanover, and the entire duration they have underwritten the exposures. Following this program year, we will be in a position to utilize a five-year rolling cost basis for determining loss ratio.

This method of evaluating all losses demonstrates each member's loss ratio based upon premiums paid with total losses paid. A loss ratio of above a 100% indicates that the total losses exceed total premiums paid. The chart above identifies three experience ratios that exceed 100%.

As stated for the property program, there are a number of different options that may be considered when implementing an experience-rating factor for the purpose of premiums. One method would be to assign a percentage increase on the base premium. This methodology would impact any members with an adverse loss experience for as many as five years impacting their annual contribution.

Another means of offsetting the impacts of a significant loss ratio would involve implementing alternative larger deductibles for the member(s) that have the most significant impact on the pricing of the program. This method appears to be the most reasonable and would only impact those members with an adverse loss history if they continue to experience significant losses. A member with an adverse loss ratio, that has implemented effective measures to minimize losses, would not be adversely impacted by this approach to the program. The secondary benefit of this methodology would provide the other members of the program with a savings towards their contributions for the following year. The funds could also be used towards property risk management services if approved by the members of the program.

The recommendation for determining a weighting method would be based upon five years of claims data. The data collected would not include the current program year, as those losses would not have an opportunity to develop. As stated above, the first year of the experience rating structure for the APD

program would be based upon four years of data. Staff would produce an annual report to the participants at the May Board of Directors meeting identifying the amount of contribution by members impacting the program and would also identify any member that would be subject to the additional deductible based upon their five years of experience rating historical data.

Implementing an experience rating would require the program members to select a number of parameters that would be used to track and schedule the contributions.

- 1. The primary consideration would be to determine what experience rating would be the trigger that subjects the member to the additional deductible contribution. This may range from 100%, to 500%. Using any higher of a modifier would have little or no positive effect on members of the program. Staff recommends utilizing that same percentage as recommended for the property program at 250% as the modifier factor. That indicates that the member sustained losses that exceeded their contributions by 150%.
- 2. The next factor for consideration would be the size of loss that would trigger the additional deductible. This could range from any loss that exceeds \$100,000 up to \$500,000. Of course the program participants could determine this number to be higher or lower. Staff reviewed a number of options and has determined that a \$250,000 loss threshold would be reasonable. The APD program certainly has losses sustained at a lower level than the property program. Staff also recommends that a member sustaining multiple losses in the same program year that exceed an aggregate \$250,000 would also be subject to the additional deductible. These numbers would not include any deductibles paid or any recoveries or subrogation received for the claims.
- 3. The deductible amount is also a variable. We have evaluated a 10% additional deductible that minimizes the impact on any agency and also promotes effective risk management. Again, the program participants may consider a deductible of 5% up to 20%. Staff recommends the program participants adopt a 20% deductible. This number is significantly higher than the proposed number for the property program. This is based on our history of losses, the average size of loss and the overall ability to impact a member's risk management program.
- 4. Any member required to contribute to the excess deductible, will not receive a credit for their premium contributions.

Staff presents this material to the program participants for consideration of all of the options presented. Staff recommends that the group adopt the recommendations for an experience rating deductible per the recommendations listed under points 1 through 4.

This experience-rating program would be as follows.

- 1. Any member with an experience rating of 250% or greater would be subject to the enhanced deductible.
- 2. Any single loss or aggregate losses in excess of \$250,000 in any program year would be subject to the additional deductible.
- 3. The amount of the additional deductible in excess of the above losses would be 20%.

Staff will be available to discuss the alternatives with the program participants. Program participants may elect to not implement this program and maintain the current program, this option is not recommended.

Fiscal Impact:

Unknown. There may be a positive impact on the annual premium contributions for members with reasonable experience ratings.

Exhibits:

1. APD spreadsheet with loss by member

AGENDA BILL

<i>ITEM</i> : 5	TITLE: STATUS UPDATE ON THE PROPERTY PROGRAM
MEETING: 04/27/2016	
GENERAL MANAGER:	

Recommended Actions:

None: This item is being provided for information only.

Strategic Direction:

This item addresses Strategic Goals 1 and 3, Core Products and Services and Marketing and Communication Outreach.

Item Explanation:

Staff directed CJPRMAs' broker Dr. William Deeb to review the current property program and evaluate the costs and options of including a DIC (flood/earthquake) program option to the existing program. Data was provided to AON regarding the geographic diversity of the membership. AON used this data to provide a detailed look at the earthquake and flood zones that impact the pricing of these products on the program participants.

Although there are still two potential remaining years offered with AIG in the current program it is imperative to set strategic direction for the program and create options for modifying the programs to enhance coverage for the members. A key item currently being evaluated is the potential of either blending in or providing efficiently priced earthquake/flood coverage to the program participants.

Dr. Deeb has contacted underwriters to determine their willingness to provide a property program with multiple elements that would include property losses and losses caused by quake and/or flood. We are also working with underwriters to determine if the current deductibles within the program are the most cost effective. This includes the potential of members pooling the first layer of losses with optional deductibles of \$100,000 or greater.

The general manager received information that a number of members are evaluating alternative property programs and other programs for 2016-2017 program year. In an effort to identify the current issues with the property and other insurance programs the general manager reached out to random program participants to receive feedback on the current program and to identify issues that could be improved.

The general manager contacted Alliant Risk Services to review the CSAC-EIA Property Program and the Alliant APIP national program. The general manager will meet with Alliant prior to the meeting and will provide an update to the committee regarding the status of the discussions.

Initially, the process for developing the new enhanced program was considered to require twelve to eighteen months to complete. We have expressed concern to Aon that a quote responding to the needs of the membership was urgent at this time.

Dr. Deeb will be present to provide updates to the Executive Committee on the current status of the marketing efforts for all CJPRMA programs with a renewal date of July 1, 2016. The general manager will provide the Executive Committee with an update on the comparison of the Alliant programs to the current CJPRMA program.

Staff will be available to discuss all options with the committee. Staff will work with AON to finalize all quotes prior to the May Annual meeting.

Fiscal Impact:

None

Exhibits:

None

AGENDA BILL

<i>ITEM</i> : 6	TITLE: APPROVAL OF THE RISK MANAGEMENT
MEETING: 04/27/2016	ANALYST JOB DESCRIPTION AND COMPENSATION RANGE
GENERAL MANAGER: A.C.	

Recommended Actions:

The general manager recommends the Executive Committee approve the job description for the Risk Management Analyst Position and compensation classification. A request to fund this position will be presented to the Board of Directors at the May meeting.

Item Explanation:

The Executive Committee has been assigned the responsibility and authority to review and approve job descriptions. The general manager presented a proposed additional staff position for the 2016-2017 program year to the Executive Committee at the February meeting. Staff contracted with CPS-HR Consulting Services to assist with the creation of the job description and to determine the appropriate salary range for the position. Ms. Barbara Santos, CPS-HR consultant prepared the job description and compensation review. CPS-HR performed a review of the compensation study performed by staff for the 2015-2016 program year that was adopted by the Executive Committee at the September meeting. CPS-HR utilized the surveyed agencies previously used by CJPRMA for this position.

The consultant reviewed the job description created by staff and provided recommendations and updates that reflect the proposed duties of the position. CPS-HR also reviewed the education and skill requirement for the position. Staff received a draft copy of the job description that has been attached to this agenda bill as exhibit one. A base salary report is being prepared at this time and will be provided to the committee at the meeting. Staff will be utilizing the data provided by CPS-HR to create a recommended salary range for the position that will be provided at the meeting.

The current CJPRMA office staffing is as follows. There is a Claims Administrator, Financial Officer, Executive Assistant, Administrative Assistant and General Manager. The proposed position is entitled to all benefits offered in the CJPRMA Compensation Plan. This position would be classified as a non-exempt position and will be an hourly position. Effective January 1, 2013, all new CJPRMA hires, that are not leaving a PERS agency, will be enrolled in the PERS retirement system with a retirement formula of 2% @ age 62. These employees are required to pay 100% of the employee contribution of 6.25% of salary. In the event that an employee leaves an existing PERS agency, and joins CJPRMA within six month of leaving their prior employer, the employee is classified as a "Classic Employee" and would then be entitled to participate in the general employee retirement calculation of 2.7% @ age 55.

The consultant stated that the new job description effectively identifies the duties of the proposed position and in the event recruitment is performed, the position would attract many qualified candidates.

The General Manager recommends that the Executive Committee approve the job description of Risk Management Analyst and approve the compensation range as recommended by CPS-HR. Staff intends to recommend to the Board of Directors an increase in the 2016-2017 program year annual budget to fund and allocate for this new position after July 1, 2016.

Staff will be present to discuss the proposed job description and compensation range.

Fiscal Impact:

TBD.

Exhibits:

1. Risk Management Analyst Job Description



RISK MANAGEMENT ANALYST (DRAFT)

DEFINITION:

Under general supervision, performs a wide variety of analytical and administrative support to risk management activities; assists in adjudicating a variety of property/auto physical damage claims; analyzes data, interprets and applies policies and procedures, and provides wide variety of professional, administrative functions for the California Joint Powers Risk Management Authority (CJPRMA); performs other related duties as assigned.

REPORTING RESPONSIBILITIES:

Receives general supervision from, and reports directly to, the General Manager; works with the finance officer, claims administrator, investment managers, insurance broker, consultants, Board members and member entities.

ESSENTIAL AND IMPORTANT DUTIES:

- 1) Responds to requests, and provides assistance to, Board members and member entities.
- 2) Performs analytical evaluation of loss data to determine causation for frequency and severity of exposures to CJPRMA.
- 3) Develops, presents, and facilitates risk management training for member agencies.
- 4) Assists in the creation and production of the CJPRMA Newsletter.
- 5) Performs risk management program surveys, inspections, and audits as assigned by the general manager; conducts policy review and data gathering.
- 6) Serves as the primary liaison and program administrator for the risk management information system (RMIS); supports members in the implementation and use of the RMIS; prepares routine and ad hoc reports as requested.
- 7) Maintains and coordinates with IT vendors on all CJPRMA IT systems and hardware.
- 8) Monitors the condition and status of CJPRMA IT hardware, software, and peripherals and

Job Description Risk Analyst Draft 04/27/16Page 1 makes recommendation to the General Manager for acquisition and or replacement of equipment.

- 9) Works with staff in the collection and transmission of information, for each coverage program, from the members to the insurance broker.
- 10) Serves as a liaison with brokers and insurers in the delivery of policy documentation and implementation.
- 11) Creates and maintains standardized formats for reports.
- 12) Prepares a wide variety of correspondence and statistical and narrative reports.
- 13) Assists with the administration, development, and maintenance of risk management policies and procedures.
- 14) Performs all other duties as assigned;

JOB RELATED AND ESSENTIAL QUALIFICATIONS:

Knowledge of:

Principles and practices of public and business administration; the structure and operation of public organizations; computer and management information systems, automated office systems, their characteristics and applications; operations and functions of government organizations, including budget methods, program analysis, employee relations, and group dynamics.

Skills:

The individual must be able to (1) use various computer software programs including Microsoft Office Suite and RMIS System; (2) proficient use of computer; (3) make routine mathematical calculations; (4) spell correctly and utilize proper grammar; (5) communicate clearly and concisely, both orally and in writing, including language mechanics; (6) research methodology, report writing, basic statistics, and actuarial principles and appropriate applications (7) establish and maintain cooperative and effective business relationships; and (8) use initiative and independent judgment with established guidelines.

Abilities:

The individual must be able to (1) perform work requiring the exercise of initiative, independent judgement, speed and accuracy, with a minimum level of supervision; (2) identify problems, analyze situations and data, and recommend effective courses of action or appropriate solutions/alternatives; (3) communicate clearly and concisely, both orally and in writing; and (4) establish and maintain

Job Description Risk Analyst Draft 04/27/16Page 2 effective working relationships with those contacted during the course of business.

PHYSICAL REQUIREMENTS:

The individual must have the ability to (1) use computer keyboards for extended periods of time; (2) sit for extended periods of time; (3) lift and carry items weighing up to 25 pounds.

EXPERIENCE AND TRAINING:

Any combination of experience and training that would likely provide the required knowledge, skill and ability outlined above is qualifying. A typical way to obtain such knowledge, skill, and ability is:

Academic course work in public administration, business administration, accounting, law, economics, safety, risk management, and/or related courses. A bachelor's degree related to one of these fields is highly desirable.

LICENSE OR CERTIFICATE:

Possession of, or ability to obtain, a valid California Driver's License is required; however, a reasonable accommodation alternative will be considered for individuals with a disability.

Job Description Risk Analyst Draft 04/27/16Page 3

AGENDA BILL

<i>ITEM</i> : 7	TITLE:	RISK MANAGEMENT ISSUES
MEETING: 04/27/2016		
GENERAL MANAGER:		

Recommended Actions:

None. This item is being provided for information only.

Strategic Direction:

This item addresses Strategic Goal 2, Member Education and Training Initiative.

Item Explanation:

This item is reserved for the discussion of risk management issues that are of concern to the members and for the provision of status updates on the risk management program.

Issues that have been requested to be listed for discussion are set forth below:

- 1. Claims Response utilizing proof of service (*Janet Hamilton, Livermore*)
- 2. Receiving firm indication on pricing for premiums by January 31 (*Janet Hamilton Livermore*)

F	'isc	al	Impact	

None.

Exhibits:

None.