



CALIFORNIA JOINT POWERS RISK MANAGEMENT AUTHORITY

EXECUTIVE COMMITTEE MEETING

July 16, 2015 - 10:00 A.M.

**City of Richmond
City Hall, Richmond Room, First Floor
450 Civic Center Plaza
Richmond, CA 94804**

(510) 620-6810

AGENDA

I. CALL TO ORDER: 10:00 A.M.

II. ROLL CALL

III. PRESENTATIONS

- None

IV. APPROVAL OF MINUTES

1. Minutes of the Executive Committee meeting held March 23, 2015 (Pages 4-10)

V. COMMUNICATIONS

1. Executive Committee Members
2. General Manager/Secretary
3. Next Scheduled Meetings: Executive Committee (9/15/2015) CAJPA
Board of Directors (10/22/2015) CJPRMA

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

1. Business Calendar for 2015 (Pages 11-14)
2. Approval of Biannual Review of Staff Salaries and Benefits (Pages 15-22)
3. Proposed Amendments to CJPRMA Bylaws Article XI, Settlement of Claims (Pages 23-54)
4. Executive Committee Roles and Responsibilities (Pages 55-59)
5. Status Update on General Manager's Goals and Objectives 2013-2015 with Accomplishments (Pages 60-69)
6. Risk Management Issues (Page 70)

IX. CLOSED SESSION

1. **Government Code Section 54956.9 (a)**

Conference with Legal Counsel - Pending Litigation

Name of Case: Holt-Singh v. City of Stockton

Court: N/A

Case No.: N/A

2. **Government Code Section 54956.9 (a)**

Conference with Legal Counsel - Litigation

Name of Case: Hernandez v. City of Richmond

Court: United States District Court – Northern District of California

Case No.: 3:14-cv-030799 JST

3. **Government Code Section 54956.9 (a)**

Conference with Legal Counsel - Litigation

Name of Case: Romero and Johnson v. City of Vallejo

Court: United States District Court – For the Eastern District of California

Case No.: 2:13-cv-01072-JAM-KJN

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4. Government Code Section 54956.9 (a)

Conference with Legal Counsel - Litigation

Name of Case: Hollyn D'Lil and Richard Skaff v. City of Petaluma

Court: United States District Court – Northern California

Case No.: 3:11-cv-02088-JCS

X. ACTION ON CLOSED SESSION ITEMS

XI. 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.



CALIFORNIA JOINT POWERS RISK MANAGEMENT AUTHORITY

EXECUTIVE COMMITTEE MEETING

April 23, 2015 - 10:00 A.M.

CJPRMA Office

**3201 Doolan Road, Suite 285
Livermore, CA 94551**

MINUTES

I. CALL TO ORDER:

- President Giles called the meeting to order at 10:00 a.m.

II. ROLL CALL

PRESENT

- | | |
|------------------------------------|-------------------------------------|
| 1) Chris Carmona, <i>Redding</i> | 4) Janet Hamilton, <i>Livermore</i> |
| 2) Anthony Giles, <i>Sunnyvale</i> | 5) Paula Islas, <i>NCCSIF</i> |
| 3) Ron Blanquie, <i>Petaluma</i> | 6) Steve Schwarz, <i>Fremont</i> |

ABSENT

Richmond

OTHERS PRESENT

- 7) Dr. William Deeb, *AON*
- 8) A. Byrne Conley, *Gibbons & Conley*
- 9) David Clovis, *CJPRMA*
- 10) Craig Schweikhard, *CJPRMA*
- 11) Saima Kumar, *CJPRMA*

III. PRESENTATIONS

- None

IV. APPROVAL OF MINUTES

- A motion was made by Director Carmona and seconded by Director Schwarz to approve the minutes of the Executive Committee meeting held January 28, 2015. Directors Carmona, Giles, Hamilton, Islas, Blanquie and Schwarz voted for the approval of the minutes. Director Greer was absent. Motion passed.

V. COMMUNICATIONS

1. Executive Committee Members

- Director Carmona requested to add Redding to the APD program.

2. General Manager/Secretary

- The General Manager requested to add Skaff v. Petaluma to the closed session. A motion by Director Carmona and seconded by Director Schwarz to add Skaff v. Petaluma to the closed session. Directors Carmona, Giles, Hamilton, Islas, Blanquie and Schwarz voted for the approval of the motion. Director Greer was absent. Motion passed.

- #### 3. Next Scheduled Meetings:
- Board of Directors (03/19/2105) CJPRMA Office
Executive Committee (07/16/2015) City of Richmond

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 2015

The CJPRMA 2015 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. Renewal Strategy Plan for 2015-2016 Program Year

Dr. William Deeb of AON Risk Services attended the meeting for discussion on the annual Renewal Strategy Plan by AON Risk Services for CJPRMA coverage programs. Dr. Deeb stated that this year's renewal has been challenging. Since the property and auto physical damage programs have had major losses.

The general manager reviewed the proposed plan and provided the Executive Committee with key elements for consideration during the 2015/2016 renewal process.

3. Recommendation to Establish Participation in the PARS Public Agencies POST Retirement Health Care Plan 115 Trust

The general manager presented the PARS Public Agencies Post- Retirement Health Care Plan 115 Trust to the committee. He stated that the process is a long-range strategy for prefunding the obligation for retiree health benefits. The following summary of approved Retiree Medical Benefits Policy was provided to the committee:

- A minimum of ten years of service with CJPRMA
- The employee must retire from CJPRMA
- The effective date of the CalPERS retirement must be within 120 days of the date the employee retires from CJPRMA
- A sliding scale based upon the years of service
 - 10 years of service - CJPRMA contribution 75%
 - 15 years of service - CJPRMA contribution 100%

The general manager stated that GASB 45 doesn't require an agency to prefund the long-term liability nor to adopt or create an IRC 115 Trust, there are significant policy reasons why it is prudent to do so.

They include:

- Greater rate of return which lowers the liabilities and Annual Required Contributions (ARC)
 - Agencies that prefund use higher discount rate
- Demonstrates prudent financial management
 - Contributions into trust are “assets” that offset liabilities on financial statements
 - Expected GASB changes will affect balance sheet
- GFOA recommends prefunding OPEB and considers it “best practice”
- OPEB assets are accessible for OPEB expenses at any time

He also stated that as of 06/30/2014 the unfunded actuarial accrued liability (UAAL) was \$398,355 with a discount rate of 3.25%. He said by prefunding and increasing the discount rate to 5.5%, the UAAL reduces to \$300,127.

He said that staff evaluated two organizations to fund the post retirement plan: Public Agency Retirement Services (PARS) and CalPERS (CERBT), both are IRS approved. The chart below identifies the differences between the plans.

	PARS	CalPERS
Asset allocation strategies	5 or can customize	3
Investment Management	HighMark Capital Mgmt	StateStreet Global Advisors
OPEB Trust Services	19 yrs	8 yrs
Statement frequency	Monthly	Quarterly
Disbursements	Option to disburse directly to retiree	Disbursement to entity only
Program Fees	Admin 0.25% Trustee/Invest Mgmt Fee 0.35%	Total Service Cost 0.10%
Agencies	140	427

**PARS v. CERBT
Performance Comparison
(As of December 31, 2014)**

Portfolio	3 Months	1 Year	3 Years	5 Years
PARS Capital Appreciation	2.27%	6.05%	13.26%	10.12%
CERBT Strategy 1	0.96%	5.22%	11.49%	9.29%

The general manager said that after careful review, staff recommended approval to initiate an agreement with the PARS 115 trust. PARS has a higher 5 year performance return history than CalPERS CERBT.

A motion by Director Giles and seconded by Director Islas to approve the referral of the recommendation to the Board of Directors for establishment of the PARS Post-Retirement Health Care Plan and Trust. Directors Carmona, Giles, Hamilton, Islas, Blanquie and Schwarz voted for the approval of the motion. Director Greer was absent. Motion passed.

4. Board Member/Employee Recognition Award Plan

The general manager brought up the discussion on creating a Board Member/Employee recognition award plan. The Executive Committee stated that they didn't feel the need to create a Board Member recognition plan. The direction provided to the general manager by the Executive Committee was if he would like to create an employee recognition award plan that would be okay with the committee.

No Action was required on this item.

5. Expense Reimbursement for Board Members/Alternates Pursuant to Board Policy #21

The general manager presented the adopted Expense Reimbursement for CJPRMA for Board Members/Alternates and Staff. He provided a list of programs that may be included for reimbursement to give the members options of attending training sessions outside of CAJPA and PARMA. The following list of conferences was presented to the committee:

Public Agency Risk Managers Association (PARMA)	Annual Conference
Ca Association of Joint Powers Authority (CAJPA)	Annual Conference, Legislative Action Days, Finance & Technology Conference, Risk Pool Management Course
Public Risk Insurance Management Association (PRIMA)	Annual Conference
Association of Government Risk Pools (AGRIP)	Annual Conference, Fall Education Forum,
Risk Insurance Management Society (RIMS)	Annual Conference
VENTIV Corporation	Annual Risk Console Educational Forum
AON Corporation	Risk Pool Symposium, Annual Property Symposium
Ca. Public Employment Relations Association (CAPELRA)	Annual Conference

The general manager stated that this change to the current policy will be for a one-year trial period. Once the trial period is completed there will be opportunities to add additional programs.

Director Carmona suggested if a conference is not on the list it can be brought back to Executive Committee for approval.

A motion made by Director Carmona and seconded by Director Schwarz to approve the list of conference added to the Board Member Policy # 21, Expense Reimbursement for CJPRMA for Board Members/Alternates and Staff. Directors Carmona, Giles, Hamilton, Islas, Blanquie and Schwarz voted for the approval of the motion. Director Greer was absent. Motion passed.

6. Creation of Human Resources AD hoc Subcommittee

The general manager informed the Executive Committee that President Giles intended to create a three member Ad hoc Human Resources Subcommittee of the Executive Committee. The subcommittee will review staff compensation study and make recommendations to the Executive Committee for approval. He said that in light of the recession no compensation study was conducted in 2013. The Board approved policy requires CJPRMA to perform a compensation study once every two years. President Giles asked for volunteers to sit on the subcommittee. Director Islas, Hamilton and Greer agreed to participate on the subcommittee. The general manager said that the next steps will be to gather the data for the study to be brought back to the subcommittee for review.

7. Status Update on General Manager's Goals & Objectives 2013-2015 with Accomplishments

The general manager provided the committee with the General Manager Goals and Objectives for FY 2013-2015. He gave a status updates on all items listed. The Committee reviewed all items and their corresponding progress updates

8. Risk Management Issues

No risk management items were discussed at the meeting.

IX. CLOSED SESSION

1. **Government Code Section 54956.9 (a)**

Conference with Legal Counsel - Pending Litigation

Name of Case: Bertoli v. City of Sebastopol (REMIF)

Court: Sonoma County Superior Court

Case No.: SCV-247619

2. **Government Code Section 54956.9 (a)**

Conference with Legal Counsel - Pending Litigation

Name of Case: Holt-Singh v. City of Stockton

Court: N/A

Case No.: N/A

3. **Government Code Section 54956.9 (a)**

Conference with Legal Counsel - Litigation

Name of Case: Hollyn D'Lil and Richard Skaff v. City of Petaluma

Court: United States District Court – Northern California

Case No.: 3:11-cv-02088-JCS

X. ACTION ON CLOSED SESSION ITEMS

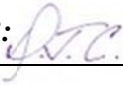
Authority was granted to the general manager on closed session items one through three.

XI. ADJOURNMENT

A motion was made by Director Blanquie and seconded by Director Hamilton to adjourn the meeting at 12:20 p.m. Directors Carmona, Giles, Blanquie, Hamilton, Islas and Schwarz voted for the approval to adjourn. Director Greer was absent, motion passed.

**CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY**

AGENDA BILL

ITEM: 1	TITLE: BUSINESS CALENDAR FOR 2015
MEETING: 07/16/2015	
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 2015 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 2015 Business Calendar



CALIFORNIA JOINT POWERS RISK MANAGEMENT AUTHORITY

2015 BUSINESS CALENDAR

January

- Distribution of Executive Committee Agenda - 1/21/2015
- Executive Committee Meeting - 01/28/2015
- Member Quarterly Payroll Reports - 01/30/2015
- 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 (02/08/2015 - 02/11/2015)
- Deadline for Members to submit Agenda items for March Meeting - 02/26/2015
- Redistribution of Equity Checks
- Return APD, Property and Boiler & Machinery Renewals Lists to Staff

March

- Distribution of Board of Directors Meeting Agenda - 03/12/2015
- Board of Directors Meeting - 03/19/2015
- Annual Meeting Room Requests

April

- FPPC Form 700 Filing Deadline April 1, 2015
- Distribution of Executive Committee Meeting Agenda - 04/16/2015
- Executive Committee Meeting - 04/23/2015
- 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 - 04/28/2015
- ARM 54 Class - 04/29/2015 - 05/01/2015
- Distribute nomination for President and Vice President (even numbered years)
- Member Quarterly Payroll Reports - 04/30/2015

May

- Distribution of Board of Directors Annual Meeting Agenda- 05/12/2015
- Board of Directors Annual Meeting – 05/19/2015 – 05/21/2015
 - Commercial Insurance Renewals
 - Proposed Budget for 2015–2016
 - Claims Audit Presentation
 - 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 – 05/28/2015

June

- Distribution of Board of Directors Meeting Agenda – 06/11/2015
- CJPRMA Board Member Orientation – 06/17/2015
- Board of Directors Meeting – 06/18/2015
 - Bi-annual election of President and Vice President (even numbered years)
 - Election of Executive Committee Members
 - 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 (6/30/2015)
- Risk Management Plan Revisions
- Requests for reimbursement of liability training expenses due by August 31,2015

July

- Distribution of Executive Committee Meeting Agenda – 07/09/2015
- Executive Committee Meeting – 07/16/2015
- General Liability Premiums Billed
- Auto Physical Damage Program Premiums Billed
- Property Program Premiums Billed
- Boiler & Machinery Premiums Billed
- Member Quarterly Payroll Reports –07/31/2015

August

- Financial Audit in process
- Actuarial Study in process
- Marshburn Training – 08/18/2015 – 08/19/2015
- Requests for reimbursement of liability training expenses due by August 31,2015

September

- Distribution of Executive Committee Agenda - 09/10/2015
- Executive Committee Meeting - 09/15/2015 at CAJPA
- CAJPA Conference 09/15/2015 - 09/18/2015

October

- Deadline for Members to submit Agenda items for October Meeting - 10/01/2015
- Distribution of Board of Directors Meeting Agenda - 10/15/2015
- Board of Directors Meeting - 10/22/14
 - Actuarial Study Presented
 - Approval of Annual Meeting and Holiday Calendars
- Member Quarterly Payroll Reports - 10/30/2015

November

- Distribution of Executive Committee Meeting Agenda - 11/12/2015
- Executive Committee Meeting - 11/19/2015
- Deadline for Members to submit Agenda items for December Meeting - 11/19/2015

December

- Distribution of Board of Directors Meeting Agenda - 12/10/2015
- Board of Directors Meeting - 12/17/2015
 - Annual Report Presented
 - Financial Audit Presented
 - Annual Review of Investment Policy
- Deadline for change to SIR or withdrawal from any CJPRMA program - 12/31/2015

**CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY**

AGENDA BILL

ITEM: 2	TITLE: APPROVAL OF BIENNIAL REVIEW OF STAFF SALARIES AND BENEFITS
MEETING: 07/16/2015	
GENERAL MANAGER: 	

Recommended Actions:

Approval of the proposed changes in salaries and benefits in compliance with Board policy.

Item Explanation:

At its meeting in April of 2004, the Board of Directors adopted a policy on the process of reviewing and adjusting staff salaries and benefits. A biannual review incorporating the results of the agency surveys is required. The results of that review are presented herein. The following agencies; Alameda, CSAC-EIA, Fremont, Livermore, MPA, Palo Alto, Pleasanton, Richmond, Santa Rosa, Stockton, Sunnyvale, and Vallejo were used for the review. A comprehensive salary survey and review was last completed in 2008. No changes to the compensation plan or the health and welfare contributions have been made since that period of time. The general manager in agreement with the President determined that based upon the economic environment at that time it was inappropriate to modify salaries or benefits. In light of the return of some level of normalcy to the economy the Executive Committee stated that it was once again appropriate to complete the study as required by board policy. This policy also requires that staff positions receive a CPI cost of living adjustment in the off year that a full study is not completed.

The Board of Directors approved modifications to certain staff positions following the 2008 study. The risk manager classification was modified and retitled to claims administrator, the office specialist position was reclassified to an administrative assistant and the position of administrative analyst was reclassified to executive assistant. The title changes included job responsibility changes that are currently included in each of the job descriptions.

CJPRMA Intern Rachel Henderson obtained the data for this survey. A combination of website data collection and direct contact with the organizations was utilized for the purpose of the survey. Identified titles within organizations that had numerous positions of like kind were reviewed to determine similarities in the skills and performance requirements of each position. A copy of the findings will be available to the Executive Committee at the meeting.

The following areas have been reviewed by staff with recommendations as follows:

A) Salary Ranges

The median of “top step of base salaries” was used as the determining factor for setting staff salary ranges.

For the purpose of this study total compensation was based upon top step salary plus health and welfare contribution by employer and a deduction for the employee contribution to retirement. This was the format implemented in 2004 and has been used in each study since adoption. The top step numbers below have been adjusted based upon the total compensation as defined above.

- 1) Administrative Assistant – The existing top step salary range of \$5,434/month is \$1,440 (26.5%) below the top step median. An adjustment is required.
- 2) Executive Assistant – The existing top step salary range of \$5,848/month is \$2,019 (34.5%) below the top step median. An adjustment is required.
- 3) Financial Analyst – The existing top step salary range of \$9,101/month is \$1,729 (19%) below the top step median. An adjustment is required.
- 4) Claims Administrator – The existing top step salary range of \$10,823/month is \$1,290 (11.9%) below the top step median. An adjustment is required.

B) Health & Welfare

CJPRMA provides staff with a cafeteria plan for their benefits. Staff has the option of choosing their medical provider from the list of programs available under the Cal PERS medical program. Dental is provided by Delta Dental and Vision is provided by Vision Service Plan. All employees are required to participate in the dental and visions programs and are required to contribute to these plans via the defined health and welfare contributions. Employees may opt out of the medical program and the remainder of the cafeteria funds may then be used as a contribution to their deferred compensation plan.

The current allotment for the Health & Welfare Program for each employee is \$1,290 per month. The median determined by the current survey is \$1,778. The current allotted amount is approximately \$488 (37.8%) per month below the median. An adjustment is recommended.

CJPRMA employees are eligible for retiree health benefits based upon the program provided by the City of Livermore. This program provides for employees that retire from the organization into Cal PERS, with a minimum of ten years of service, eligible for a reimbursement of 75% of the Kaiser employee + one premium. Employees that retire with fifteen years of service are eligible for 100% reimbursement of the Kaiser employee + one premium. The Board of Directors approved the creation of an OPEB Trust Account at the June Board of Directors Meeting.

Also at the June meeting, a board member recommended staff evaluate options for eliminating this benefit for all new employees. Based upon the review of data provided with the survey, there is not a recommendation to remove this benefit. There are retirements anticipated in the near future and it is recommended that this benefit be retained at the current time. This benefit is beneficial in both the retention and recruitment of new employees.

C) Retirement

This study also identified the PERS or County 1937 Act formula provided by the agencies surveyed. The employee contribution for each of the retirement programs was included in the data survey and those calculations are included in the “Total Compensation” analysis provided. CJPRMA adopted the new employee retirement formula as mandated by the legislature. All new hires for CJPRMA receive a pension based upon 2% at age 62 as required. There is no recommendation to modify the current PERS retirement plan formulas for CJPRMA employees.

D) Auto Allowance for Claims Administrator/General Manager

Currently the claims administrator and general manager are provided with an auto allowance of \$450 per month and reimbursement of mileage in excess of 50 miles for any trip. Upon review of the current contributions of the agencies surveyed there is no recommendation for any changes to this allowance.

Recommendations:

Based upon the information collected during the salary survey it is recommended that individual salary ranges and health and welfare contributions be modified to establish a total compensation plan at the median level. The following table adjusts the recommended salary top steps along with the modification to the health & welfare program.

The recommended increase to health & welfare is \$400; this will place the contribution within 5% of the median for a total contribution of \$1,690.

Position	Current Top Step Salary	New Top Step Salary	New Total Comp inc H&W	Survey Median
Administrative Assistant	\$4,504	\$5,184	\$6,874	\$6,874
Executive Assistant	\$4,954	\$6,177	\$7,867	\$7,867
Financial Analyst	\$8,489	\$9,140	\$10,830	\$10,830
Claims Administrator	\$10,361	\$10,423	\$12,113	\$12,113

Four spreadsheets are included with this agenda bill. The spreadsheets provide a summary of all of the data collected for each position and the calculation of the total compensation. A complete copy of the salary survey with all agencies will be available for review at the meeting.

The general manager recommends that the Executive Committee approve the salary survey and approve all modifications as recommended.

Fiscal Impact:

1. Cost of Salary Range Adjustments: \$0
2. Cost of Medical Benefit Increase: 5 employees x \$400 = \$24,000

Exhibits:

1. Administrative Assistant Salary Survey
2. Executive Assistant Salary Survey
3. Financial Analyst Salary Survey
4. Claims Administrator Salary Survey

CJPRMA Salary Survey Document

Job Title: Administrative Assistant

Agency	(a)			(b)						(a) + (b)	(c)	(d)	(c) - (d)
	Salary Top Step	Retirement Formula	EE Cont.	Health & Welfare Medical	Max.	Retired Medical	Deferred Comp	Life Ins. Amount	EE Pd.	Total Comp.	EE Paid PERS	Net Comp	
Alameda	\$4,100	2.0 @ 55	9%	Yes	\$1,733	yes	EE	\$50,000	No	\$5,833	\$364	\$5,469	
CSAC-EIA	\$3,943	2.0 @ 55	7%	Yes	\$1,588	yes	2.00%	\$50,000	No	\$5,531	\$276	\$5,255	
Fremont	\$5,682	2.5 @ 55	8%	Yes	\$1,830	yes	n/a	\$300,000	No	\$7,512	\$455	\$7,057	
Livermore	\$6,433	2.7 @ 55	8%	Yes	\$1,950	yes	EE	\$150,000	No	\$8,383	\$515	\$7,869	
MPA	\$5,015	2.0 @ 55	0%	Yes	\$1,858	yes	EE	2 x Annual	No	\$6,873	\$0	\$6,873	
Palo Alto	\$5,035	2.7 @ 55	0%	Yes	\$1,840	yes	EE	\$325,000	No	\$6,875	\$0	\$6,875	
Pleasanton	\$5,890	2.7 @ 55	8%	Yes	\$1,824	yes	EE	\$35,000	No	\$7,714	\$471	\$7,243	
Richmond	\$5,673	2.7 @ 55	8%	Yes	\$1,858	yes	n/a	2 x Annual	No	\$7,531	\$454	\$7,077	
Santa Rosa	\$4,894	3.0 @ 60	8%	Yes	\$1,670	yes	n/a	\$20,000	No	\$6,563	\$392	\$6,172	
Stockton	\$3,297	2.0 @ 55	1%	Yes	\$1,313	yes	EE	\$50,000	No	\$4,610	\$33	\$4,577	
Sunnyvale	\$6,354	3.0 @ 50	3%	Yes	\$1,709	yes	n/a	1 x Annual	No	\$8,063	\$191	\$7,872	
Vallejo	\$3,848	2.7 @ 55	8%	Yes	\$1,649	yes	EE	\$40,000	No	\$5,497	\$308	\$5,189	
CJPRMA	\$4,504	2.7 @ 55	8%	Yes	\$1,291	yes	*	1.5 x Ann	No	\$5,795	\$360	\$5,434	

Total Compensation	
CJPRMA	Median
\$5,434	\$6,874
CJPRMA +/-	-\$1,440
Percentage +/-	-26.5%

* CJPRMA H&W not used for medical benefits deposited to def comp
 Medical plans include medical, dental, vision & eap services.

Medical Review	
Median Amount Paid:	\$1,778
\$1200 was the amount used for the purpose of calculation for cities with no medical cap on spending.	
CJPRMA	Median
\$1,291	\$1,778
CJPRMA +/-	-\$488
Percentage +/-	-37.8%

CJPRMA Salary Survey Document

Job Title: Executive Assistant

Agency	(a)			(b)						(a) + (b)	(d)	(c) - (d)
	Salary Top Step	Retirement Formula	EE Cont.	Health & Welfare Medical	Max.	Retired Medical	Deferred Comp	Life Ins. Amount	EE Pd.	(c) Total Comp.	(d) EE Paid PERS	(e) Net Comp
Alameda	\$5,285	2.0 @ 55	8.87%	Yes	\$1,733	yes	EE	\$50,000	No	\$7,018	\$469	\$6,549
CSAC-EIA	\$5,758	2.0 @ 55	7.00%	Yes	\$1,588	yes	EE	\$50,000	No	\$7,346	\$403	\$6,943
Fremont	\$7,528	2.5 @ 55	8.00%	Yes	\$1,830	yes	2.00%	\$300,000	No	\$9,358	\$602	\$8,756
Livermore	\$8,058	2.7 @ 55	8.00%	Yes	\$1,950	yes	EE	\$150,000	No	\$10,008	\$645	\$9,363
MPA	\$5,015	2.0 @ 55	0.00%	Yes	\$1,858	yes	EE	2 x Annual	No	\$6,873	\$0	\$6,873
Palo Alto	\$7,940	2.7 @ 55	0.00%	Yes	\$1,840	yes	EE	\$325,000	No	\$9,780	\$0	\$9,780
Pleasanton	\$6,615	2.7 @ 55	8.00%	Yes	\$1,824	yes	EE	n/a	No	\$8,439	\$529	\$7,910
Richmond	\$8,324	2.7 @ 55	8.00%	Yes	\$1,858	yes	EE	2 x Annual	No	\$10,182	\$666	\$9,516
Santa Rosa	\$6,691	3.0 @ 60	8.00%	Yes	\$1,670	yes	1.50%	\$50,000	No	\$8,361	\$535	\$7,825
Stockton	\$5,779	2.0 @ 55	1.00%	Yes	\$1,313	yes	1% - 5.5%	\$50,000	No	\$7,092	\$58	\$7,034
Sunnyvale	\$6,671	3.0 @ 50	3.00%	Yes	\$1,709	yes	2.00%	1 x Annual	No	\$8,380	\$200	\$8,180
Vallejo	\$4,925	2.7 @ 55	8.00%	Yes	\$1,640	yes	EE	\$40,000	No	\$6,565	\$394	\$6,171
CJPRMA	\$4,954	2.7 @ 55	8.00%	Yes	\$1,291	yes	*	1.5 x Ann	No	\$6,244	\$396	\$5,848

<u>Total Compensation</u>	
CJPRMA	Median
\$5,848	\$7,867
CJPRMA +/-	-\$2,019
Percentage +/-	-34.5%

*CJPRMA H&W not used for medical benefits deposited to def comp
 Medical plans include medical, dental, vision & eap services.

<u>Medical Review</u>	
Median Amount Paid:	\$1,778
\$1200 was the amount used for the purpose of calculation for cities with no medical cap on spending.	
CJPRMA	Median
\$1,291	\$1,778
CJPRMA +/-	-\$488
Percentage +/-	-37.8%

CJPRMA Salary Survey Document

Job Title: **Financial Analyst**

Agency	(a)			(b)				(a) + (b)		(c)	(d)	(c) - (d)
	Salary Top Step	Retirement Formula	EE Cont.	Health & Welfare Medical	Max.	Retired Medical	Deferred Comp	Life Ins. Amount	EE Pd.	Total Comp.	EE Paid PERS	Net Comp
Alameda	\$10,987	2.0 @ 55	9.00%	Yes	\$1,733	yes	EE	\$50,000	No	\$12,720	\$989	\$11,731
CSAC-EIA	\$8,593	2.0 @ 55	7.00%	Yes	\$1,588	yes	2.00%	\$50,000	No	\$10,181	\$602	\$9,579
Fremont	\$10,094	2.5 @ 55	8.00%	Yes	\$1,830	yes	n/a	\$300,000	No	\$11,924	\$807	\$11,116
Livermore	\$10,598	2.7 @ 55	8.00%	Yes	\$1,950	yes	EE	\$150,000	No	\$12,548	\$848	\$11,700
MPA	\$9,025	2.0 @ 55	0.00%	Yes	\$1,858	yes	EE	2 x Annual	No	\$10,883	\$0	\$10,883
Palo Alto	\$9,916	2.7 @ 55	0.00%	Yes	\$1,840	yes	EE	\$325,000	No	\$11,756	\$0	\$11,756
Pleasanton	\$8,587	2.7 @ 55	8.00%	Yes	\$1,824	yes	EE	n/a	No	\$10,411	\$687	\$9,724
Richmond	\$9,694	2.7 @ 55	8.00%	Yes	\$1,858	yes	n/a	2 x Annual	No	\$11,552	\$776	\$10,776
Santa Rosa	\$11,036	3.0 @ 60	8.00%	Yes	\$1,670	yes	n/a	\$50,000	No	\$12,706	\$883	\$11,823
Stockton	\$6,810	2.0 @ 55	1.00%	Yes	\$1,313	yes	EE	\$50,000	No	\$8,123	\$68	\$8,055
Sunnyvale	\$7,700	3.0 @ 50	3.00%	Yes	\$1,709	yes	n/a	1 x Annual	No	\$9,409	\$231	\$9,178
Vallejo	\$6,961	2.7 @ 55	8.00%	Yes	\$1,649	yes	EE	\$40,000	No	\$8,610	\$557	\$8,053
CJPRMA	\$8,489	2.7 @ 55	8.00%	Yes	\$1,291	yes	*	1.5 x Ann	No	\$9,780	\$679	\$9,101

Total Compensation	
CJPRMA	Median
\$9,101	\$10,830
CJPRMA +/-	-\$1,729
Percentage +/-	-19.0%

* CJPRMA H&W not used for medical benefits deposited to def comp
 Medical plans include medical, dental, vision & eap services.

Medical Review	
Median Amount Paid:	\$1,778
\$1200 was the amount used for the purpose of calculation for cities with no medical cap on spending.	
CJPRMA	Median
\$1,291	\$1,778
CJPRMA +/-	-\$488
Percentage +/-	-37.8%

CJPRMA Salary Survey Document

Job Title: Risk Manager/Claims Administrator

Agency	(a)			(b)					(a) + (b)		(c)	(d)	(c) - (d)
	Salary Top Step	Retirement Formula	EE Cont.	Health & Welfare Medical	Max.	Retired Medical	Deferred Comp	Life Ins. Amount	EE Pd.	Total Comp.	EE Paid PERS	Net Comp	
Alameda	\$10,987	2.0 @ 55	8.87%	Yes	\$1,733	yes	EE	\$50,000	No	\$12,720	\$975	\$11,745	
CSAC-EIA	\$12,912	2.0 @ 55	7.00%	Yes	\$1,588	yes	EE	\$50,000	No	\$14,500	\$904	\$13,596	
Fremont	\$12,273	2.5 @ 55	8.00%	Yes	\$1,830	yes	2.00%	\$300,000	No	\$14,103	\$982	\$13,121	
Livermore	\$10,737	2.7 @ 55	8.00%	Yes	\$1,950	yes	EE	\$150,000	No	\$12,687	\$859	\$11,828	
MPA	\$16,909	2.0 @ 55	0.00%	Yes	\$1,858	yes	EE	2 x Annual	No	\$18,767	\$0	\$18,767	
Palo Alto	\$8,549	2.7 @ 55	0.00%	Yes	\$1,840	yes	EE	\$325,000	No	\$10,389	\$0	\$10,389	
Pleasanton					\$1,824								
Richmond	\$11,457	2.7 @ 55	8.00%	Yes	\$1,858	yes	EE	2 x Annual	No	\$13,315	\$917	\$12,398	
Santa Rosa	\$10,215	3.0 @ 60	8.00%	Yes	\$1,670	yes	1.50%	\$50,000	No	\$11,885	\$817	\$11,067	
Stockton	\$8,332	2.0 @ 55	1.00%	Yes	\$1,313	yes	1% - 5.5%	\$50,000	No	\$9,645	\$83	\$9,562	
Sunnyvale	\$11,109	3.0 @ 50	3.00%	Yes	\$1,709	yes	2.00%	1 x Annual	No	\$12,818	\$333	\$12,485	
Vallejo					\$1,649								
CJPRMA	\$10,361	2.7 @ 55	8.00%	Yes	\$1,291	yes	*	1.5 x Ann	No	\$11,652	\$829	\$10,823	

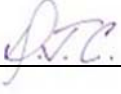
<u>Total Compensation</u>	
CJPRMA	Median
\$10,823	\$12,113
CJPRMA +/-	-\$1,290
Percentage +/-	-11.9%

* CJPRMA H&W not used for medical benefits deposited to def comp
 Medical plans include medical, dental, vision & eap services.

<u>Medical Review</u>	
Median Amount Paid:	\$1,778
\$1200 was the amount used for the purpose of calculation for cities with no medical cap on spending.	
CJPRMA	Median
\$1,291	\$1,778
CJPRMA +/-	-\$488
Percentage +/-	-37.8%

**CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY**

AGENDA BILL

ITEM: 3	TITLE: PROPOSED AMENDMENTS TO CJPRMA BYLAWS ARTICLE XI, SETTLEMENT OF CLAIMS
MEETING: 07/16/2015	
GENERAL MANAGER: 	

Recommended Actions:

Staff recommends the Executive Committee approve the proposed changes to the Bylaws and recommend the general manager present the modifications to the Board of Directors for approval.

Strategic Direction:

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

Item Explanation:

The Board of Directors directed staff to consider modifying the current general manager settlement authority for the settlement of claims. In 1994 the Board of Directors approved the current settlement authority under Article XI, Settlement of Claims page 14 of the bylaws. The current authority granted under the policy provides the Executive Committee with authority up to \$500,000 and the general manager currently has zero authority for claims. The current authority which is over 22 years old is not efficient or consistent with current practices of other CJPRMA Members. The general manager is required to call a special meeting of either the Executive committee or Board of Directors for any claim settlement in excess of \$1.

Staff recommends that the general manager be authorized to settle any claim up to \$100,000 and the authority granted to the Executive committee also be increased from the current \$500,000 to \$750,000. These numbers reflect the current climate for the settlement of claims in light of the impact of inflation on the cost of these settlements.

Staff recommends that the Executive Committee review and approve the recommended changes to the Bylaws and recommend the changes be presented to the Board of Directors at the next scheduled meeting.

A copy of the current Bylaws Section XI Settlement of Claims is attached to this agenda bill with the highlighted recommended changes.

The Executive Committee has the option of not recommending the modifications to the Bylaws which is not recommended. The Executive Committee may also recommend modified limits from those currently proposed within this agenda bill.

Staff will be present to discuss the recommended modifications to the Bylaws Section XI, Settlement of Claims.

Fiscal Impact:

1. None. The implementation of the modifications of the bylaws will not have an adverse fiscal impact on the program participants.

Exhibits:

1. CJPRMA Bylaws Section XI, Settlement of Claims

CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY



BYLAWS

Amended: 06/16/94, 09/19/94, 09/20/99, 11/21/02, 04/17/06, 05/08/08, 12/11/08, 06/17/10,
7/16/15

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BYLAWS

For the regulation of the California Joint Powers Risk Management Authority, except as otherwise provided by Statute or the Joint Powers Agreement Creating the California Joint Powers Risk Management Authority.

ARTICLE I

DEFINITIONS

The terms in these Bylaws shall be as defined herein and in the Joint Powers Agreement Creating the California Joint Powers Risk Management Authority (hereinafter JPA Agreement), unless otherwise specified herein.

1. **Alternate Director** shall mean that individual appointed by a *member entity* to act in the absence of its duly appointed representative except the *alternate director* shall not exercise the powers of an officer of the *Authority* or serve on the *Executive Committee*.
2. **Authority** shall mean the California Joint Powers Risk Management Authority created by the JPA Agreement.
3. **Board** or **Board of Directors** shall mean the governing body of the *Authority* composed of one representative of each *member entity*.
4. **Cash Assessment** shall mean an amount determined by the *Board of Directors* to be paid by each member entity as necessary to meet the *Authority's* obligations.
5. **Cash Contribution** shall mean the annual dollar amount determined by the *Board of Directors* which is payable by each *member entity* as its established share of the funding required to cover the financial obligations of each *pooled coverage program* in which the *member entity* participates.
6. **Certificate of Coverage for Additional Covered Party** shall be the document issued by the *Authority* to third parties specifying the type and amount of *pooled coverage* provided to the *member entity* by the *Authority* and extended to the named third party for the specified purpose.
7. **Claims** shall mean demands made against the *member entities* or the *Authority* arising out of occurrences which may be within the *Authority's pooled coverage programs*.
8. **Covered Loss** shall mean any loss resulting from a *claim* or *claims* against a *member entity* or the *Authority* which is in excess of the member entity 's respective *retained limit* and is

covered by any *Memorandum of Coverage* issued by the *Authority* or any *purchased coverage programs* and shall include loss payments, defense costs and other charges directly attributable to the resolution of the matter including defense costs incurred by the *Authority*.

9. **Director** shall mean that individual appointed from that *member entity* to serve on the *Board of Directors*.
10. **Entire Board** shall consist of all *directors*, whether or not present at a *Board* meeting.
11. **Excess Insurance** shall mean that commercial insurance purchased by the *Authority* to cover losses in excess of the *Authority's* pooled limits and/or each *member entity's retained limit*.
12. **Executive Committee** shall mean that body composed of the President, Vice-President and five additional members of the *Board of Directors* elected in accordance with these Bylaws.
13. **General Manager/Secretary** shall mean an officer of the *Authority* appointed by a majority of the *entire Board* and who shall serve at the pleasure of the *Board*.
14. **Incurred Loss** shall mean the sum of monies paid or reserved by the *Authority* to investigate, defend and satisfy a *covered loss* sustained by a *member entity* or the *Authority*.
15. **Majority Vote** shall mean a number greater than one-half of the votes cast.
16. **Member Entity** shall mean each of the public entities which is a party to the JPA Agreement.
17. **Memorandum of Coverage** shall be the document issued by the *Authority* to *member entities* specifying the type, amount and conditions of *pooled coverage* provided to each participant by the *Authority*.
18. **Plurality Vote** shall mean the greatest number of votes when there are two or more competitors for the same office.
19. **Pooled Coverage Programs** shall consist of coverages provided directly by the *Authority* pursuant to a *Memorandum of Coverage* and/or provided by a *purchased coverage program*. These may include, but are not limited to, property, workers' compensation, and liability coverages as may be determined by the *Board*.
20. **Program Year** shall mean a period of time determined by the *Board*, usually 12 months, into which each *pooled coverage program* shall be segregated for purposes of accounting and record keeping.

21. **Purchased Coverage Program** shall mean any transfer of risk by the *Authority* through the purchase of commercial *excess insurance*, participation in a joint powers authority, risk retention group or similar mechanism.
22. **Retained Limit** shall mean the amount of a *claim* which the *member entity* must incur, or become liable for, before the *Authority*, or any applicable *purchased coverage program*, is obligated to pay.
23. **Treasurer** shall mean an officer of the *Authority* appointed by a majority of the *entire Board* who shall serve at the pleasure of the *Board*.

ARTICLE II

OFFICES

The principal executive office for the transaction of business of the *Authority* and receipt of all notices is hereby fixed and located as described in Appendix A attached hereto and incorporated herein by reference. The *Board* shall have the authority to change the location of the principal executive office.

Other business offices may be established by the *Board* at any time and at any place or places where the *Authority* is qualified to do business.

ARTICLE III

DIRECTORS & OFFICERS

Appointment of Board of Directors

The governing board or other duly designated official of each *member entity* of the *Authority* shall appoint a representative to the *Board of Directors*. Such representative shall be an employee or officer of the *member entity*, or in the case of a joint powers authority, may be an employee or officer of a *member entity* of such joint powers authority. The appointment shall be in writing, directed to the *Authority* at its designated principal executive office, and shall remain in effect until the receipt of a notice designating a replacement. Each *member entity* shall also designate an *alternate director*, in the manner described above, to act in the absence of its duly appointed representative except the *alternate director* shall not exercise the powers of an officer of the *Authority* or serve on the *Executive Committee*.

Election and Removal of Officers

The officers of the *Authority* shall be the President, Vice President, *Treasurer* and *General Manager/Secretary*. The President and Vice President shall be elected, as individuals, from among the members of the *Board of Directors*, not as the *member entities* they represent, in even numbered years and serve for a term of two years. The duties of the officers shall be assumed upon their election or appointment.

The *Treasurer* will be appointed, by a majority of the *entire Board*, and shall serve at the pleasure of the *Board*. The term of *Treasurer* shall be two years, with appointments being made in the even number years, subject to the pleasure of the *Board*. The *Treasurer* may vote on matters before the *Board*, *Executive* or other appointed committees only if he/she is also a *director* serving in the appropriate capacity.

The General Manager shall be the Secretary and Chief Administrative Officer of the *Authority* appointed by a majority of the *entire Board* and shall serve at the pleasure of the *Board*. Although the *General Manager/Secretary* is an officer of the *Authority*, he/she may not vote on matters before the *Board*, *Executive* or other appointed committees. The *General Manager/Secretary* may not be an employee or an officer of a *member entity*.

Nomination of candidates for the offices of President and Vice-President shall be made in writing to the *Authority* no later than May 1 of each even numbered year. The *General Manager/Secretary* shall verify with the nominees that they are willing to run. The slate of nominees will be provided to each *member entity* at least thirty (30) days before the June *Board of Directors* meeting. Voting for officers will be conducted at the June *Board* meeting. A candidate may be nominated for more than one office. A candidate may withdraw at any time prior to the election by notifying the *General*

Manager/Secretary either orally or in writing. Election for President will be held first, then election for Vice President, then election for membership on the *Executive Committee*. Each *director* present shall cast one vote for each office. The candidate receiving the greatest plurality of votes for the particular office will be elected and will assume the office upon his/her election. In the event of a tie vote, those not involved in the tie vote will be eliminated and the remaining candidates will be the subject of a run off election as described above. If unsuccessful after the run off, the election for that office shall start again with all the candidates eligible.

The President and Vice-President will serve for their elected term of office, until termination of employment or office with a *member entity*, or until removal from office by the affirmative vote of three-fourths of the members of the *entire Board of Directors* at any regular or special meeting of the *Board of Directors*. Vacancies in the offices of President or Vice-President will be filled by election of a replacement, at the next regular or special meeting of the Board, by a *majority vote* of the *Board*, to serve the remainder of the unexpired term.

ARTICLE IV

EXECUTIVE COMMITTEE

The President and Vice-President shall serve on the *Executive Committee* during their incumbency in those offices. The remaining five members shall be elected from among the *directors* to serve a term of two years under the procedures set forth below. A *member entity* cannot hold more than one (1) position on the *Executive Committee*. A non-officer *director* must have served on the *Board* for at least twelve (12) months preceding the date of the election for the office.

Powers

The powers of the *Executive Committee* shall be those powers delegated to it by the *Board of Directors* which may include but are not limited to:

- a. personnel matters concerning salary, benefits and working conditions of staff;
- b. approval of warrants;
- c. approval of Requests for *Certificates of Coverage for Additional Covered Parties*;
- d. *covered loss* settlement authority in an amount as determined by the *Board*;
- e. approval of contracts for routine services (*claims* audit, financial audit, actuarial study, etc.);
- f. other authority as delegated by the *Board*.

The *Board of Directors* may revoke any of the powers delegated to the *Executive Committee* by a *majority vote* of the *entire Board*.

Election and Removal of Executive Committee Members

Election of two non-officer members of the *Executive Committee* shall occur at the June *Board of Directors* meeting in each odd numbered year by election from an eligibility list prepared by staff. The eligibility list shall consist of all *Directors* meeting the eligibility requirements set forth in this Article.

Appointment of three *directors* shall be conducted in even numbered years, one from each of three lists, after the election of officers. Staff shall prepare, starting with the June 2009 election, three lists of *directors*, randomly generated. One list shall consist of *Directors* from *Member Entities* that are themselves joint powers authorities; one list shall consist of *Directors* from *Member Entities* that are

cities with a population of 100,000 or more; and one list shall consist of *Directors* from *Member Entities* that are cities with a population of less than 100,000. The eligibility list used in June, 2009 will carry over from the rotation order previously generated. The *directors* at the top of each applicable list shall be considered elected to open positions on the *Executive Committee* for a single term of two years each. If a *director* reaches the top of the list but is ineligible by reason of not having served on the *Board* for at least twelve (12) months, that *Director* will be passed but remain at the top of the list for the next election. If a *Director* reaches the top of the list but wishes to decline election to the *Executive Committee*, the *Director* may do so on a one-time basis only, but shall remain at the top of the list for the next following election.

The President and Vice President shall be limited to two consecutive two-year terms, and will not be eligible to run for the same office after completing two terms, until being out of office for at least one term. Upon completion of a term as President, Vice President or as a member of the *Executive Committee*, a *Director* will move to the bottom of the eligibility list for election to the *Executive Committee*.

The immediate past President will serve one (1) two year term on the Executive Committee. This will be a non-voting member of the committee.

Non-officer vacancies on the *Executive Committee* for rotation list positions will be filled by appointment of a replacement from the top of the applicable eligibility list, to fill the remainder of the unexpired term and the following two-year term. Non-officer vacancies on the Executive Committee for odd year election positions shall be filled by Board vote at the next meeting following the vacancy, to fill the remainder of the unexpired term.

New *Member Entities* shall be added at the bottom of the applicable eligibility list at the time of admission to membership in the Authority.

Non-officer members of the *Executive Committee* may be removed by the affirmative vote of three-fourths of the members of the *entire Board of Directors* at any regular or special meeting of the *Board of Directors*.

Any member of the *Executive Committee* who has failed to attend at least 50% of the regular meetings of the *Executive Committee* within any 12 consecutive month period shall be automatically removed from the *Executive Committee* and from office if he/she is the President or Vice President.

ARTICLE V

MEETINGS

Board of Directors Meetings

There shall be at least four regular meetings of the *Board of Directors* each year, one of which shall be designated as the Annual Membership Meeting. At the final *Board* meeting of each calendar year, the *Board* shall fix the date, hour and location at which each regular meeting in the succeeding year is to be held. The *General Manager/Secretary* may request special meetings of the *entire Board* as needs dictate. Special meetings may also be called by the President or one-third of the *Board*. Notice of such special meetings shall be delivered personally, by electronic facsimile transmission or by mail, as provided by state law, to each *Board* member at least twenty-four (24) hours before the time of such meetings.

A regular or special meeting of the *Board* may be cancelled or postponed by the *General Manager/Secretary* or President by notice delivered personally, by electronic facsimile transmission or by mail, as provided by state law, to each *Board* member at least twenty-four (24) hours before the time of such meeting. The Annual Membership Meeting may be postponed but not cancelled.

Executive Committee Meetings

The *Executive Committee* shall hold at least six regular meetings each year, some of which may coincide with meetings of the *Board of Directors*. The President, at the final *Executive Committee* meeting in each calendar year, shall fix the date, hour and location at which the regular meetings in the succeeding year are to be held and notify all *directors* of such dates, times and locations. The President or *General Manager/Secretary* may request special meetings as needs dictate. Notice of such special meetings shall be delivered personally, by electronic facsimile transmission or by mail, as provided by state law, to each *Board* member at least twenty-four (24) hours before the time of such meetings.

A regular or special meeting of the *Executive Committee* may be cancelled or postponed by the President or *General Manager/Secretary* by notice delivered personally, by electronic facsimile transmission or by mail, as provided by state law, to each *Board* member at least twenty-four (24) hours before the time of such meeting.

General Meetings

No business may be transacted by the *Board*, *Executive Committee*, or other appointed committees without a quorum of their respective members being present. A quorum of the *Board* shall consist of a majority of its number; a quorum of the *Executive Committee* shall number five members. Quorums of other committees established by the *Board* shall be a majority of their members. A majority of the members present must vote in favor of a motion to approve it, except as otherwise

provided in the JPA Agreement/Bylaws and except for the following:

1. Four votes are required to pass any *Executive Committee* motion except for votes to assume control of *claims* as outlined under Article IX.
2. A *majority vote* of the *entire Board* is required to amend the Bylaws provided that any amendment is compatible with the purposes of the *Authority*, is not in conflict with the JPA Agreement and has been submitted to the *Board* at least thirty (30) days in advance.
3. A two-thirds vote of the *entire Board* is required to levy a *cash assessment* for any *pooled coverage program*.
4. A three-fourths vote of the *entire Board* is required to remove an officer/non-officer of the *Authority* or a non-officer of the *Executive Committee*.
5. A three-fourths vote of the *entire Board* is required to expel any *member entity* from the *Authority*.

The *Board* and the *Executive Committee* shall conduct their business in accordance with Roberts Rules of Order.

An agenda of each *Board* or *Executive Committee* meeting shall be published and posted in the business office of the *Authority* in accordance with applicable state law.

Official minutes of the *Board* and *Executive Committee* meetings shall be kept by the *Authority* in a minute book at its principal executive office and shall be distributed to the *member entities* as soon after the meetings as practicable.

ARTICLE VI

DUTIES OF DIRECTORS AND OFFICERS

The *Board of Directors* shall be responsible for governing the *Authority* either directly or by delegation to other bodies or persons unless prohibited by law or by the JPA Agreement, and shall exercise all those powers not specifically reserved to the *member entities* in the JPA Agreement. Each *director* shall have the authority to bind their *member entity* on all matters pertaining to the JPA Agreement, as provided in the JPA Agreement. Each *director* of a *member entity* shall be entitled to cast one vote in all matters requiring a vote, except in the case of an actual or potential conflict of interest.

Each *Member Entity* shall be required to be represented, by a properly appointed *Director/Alternate*, at a minimum of 50% of all *Board* meetings held during the course of a program year. Failure to meet this minimum standard of attendance shall result in a 5% surcharge being added to the *Member's* contribution calculation for the *program year* immediately following.

The duties of the President shall be to preside at all meetings of the *Board* and the *Executive Committee* and to perform such other duties as the *Board* may specify.

The duties of the Vice-President shall be to act as the President, in the absence of the President, and to perform such other duties as the *Board* may specify.

The duties of the Treasurer shall be those specified in sections 6505.5 or 6505.6 of the California Government Code, to receive and safekeep all money coming into the treasury, to comply with all laws governing the deposit and investment of funds, and to approve the monthly financial report to the *Board* summarizing receipts, disbursements, and fund balances, along with a listing of all investments and other duties as specified by the *Board*.

The duties of the *General Manager/Secretary* shall be to administer the operations of the *Authority*, to cause minutes to be kept as specified in the JPA Agreement, to maintain or cause to be maintained all accounting and other financial records of the *Authority*, to file all financial reports of the *Authority* and to perform such other duties as the *Board* may specify.

ARTICLE VII

BUDGET

An annual budget shall be presented by the *General Manager/Secretary* to the *Board* no later than thirty (30) days prior to the beginning of each fiscal year and shall be adopted no later than July 31 of each year. At the discretion of the *Board*, a multi-year budget may be adopted, thereby eliminating the requirements of annual presentation and adoption during the term of such multi-year budget.

The budget shall separately show the following:

- a. a general and administrative section;
- b. a revenue section; and,
- c. sections for each *pooled coverage program* specifying:
 - 1) the actuarially estimated *claims* and allocated *claims* adjustment costs;
 - 2) an equitable allocation of the general and administrative costs;
 - 3) an equitable allocation of the revenue.

ARTICLE VIII

RECEIPT AND DISBURSEMENT OF FUNDS

Revenues of the *Authority* shall be received at its principal executive office. The *Treasurer, General Manager/Secretary* or other designee of the *Board* shall safeguard and invest funds in accordance with the *Authority's* current Investment Policy.

The President, Vice-President, *Treasurer* and *General Manager/Secretary* shall be authorized signatories of the *Authority's* checking account. All checks disbursing funds of the *Authority* shall be signed by the appropriate number of officers as established by action of the *Board*.

A register of all checks, issued since the last *Board* or *Executive Committee* meeting, shall be provided at each subsequent *Board* or *Executive Committee* meeting for approval.

The *General Manager/Secretary* shall be authorized to make all expenditures for goods or services without specific approval, to the extent such funds have been included and approved by adoption of the budget, or as subsequently approved by the *Board*.

Authority to expend funds for goods or services, approved by the *Board* or provided for in the budget, may be granted by the *Executive Committee*. The *Executive Committee* shall be authorized to permit budget modifications in amounts up to \$25,000 for expenditures in excess of previously budgeted or approved amounts.

ARTICLE IX

SETTLEMENT OF CLAIMS

All *claims* settlement recommendations shall be presented by the *General Manager/Secretary*, or his designee, to, and be approved by, the *Board* prior to final settlement, except that the *Executive Committee* shall have the authority to approve settlements in an amount not to exceed ~~\$500,000~~750,000 of the *Authority's* funds. The General Manager shall have the authority to settle any claim up to \$100,000.

In accordance with the *Memorandum of Coverage*, the *Authority* may assume control of and defend or settle any *claim* determined to have a reasonable probability of resulting in an ultimate net loss in excess of the *member entity's retained limit*.

The procedure for assuming control of a *claim* shall be as follows:

1. The *General Manager/Secretary* may submit the issue of assuming control of a *claim* directly to the *Board of Directors*, for decision, by presenting a written recommendation to that effect.
2. The General Manager and the covered party will have the right to submit written materials and present oral arguments to the *Board*, subject to reasonable time constraints.
3. The *Board* may determine to assume control of a *claim* by a *majority vote* of the *entire Board*.
4. The affected *Board* member (i.e. whose *member entity* is the defendant in the *claim*) shall be disqualified from the final discussion and vote on this issue.

ARTICLE X

POOLED COVERAGE PROGRAMS

The *Authority* shall provide a *pooled coverage program* for Automobile/General Liability. The *Authority* may also provide *pooled coverage programs* such as workers compensation, property, and other risks as determined by the *Board of Directors*. All *member entities* must participate in the Automobile/General Liability program in order to maintain their membership in the *Authority*. The terms and conditions of each *pooled coverage program*, including participation commitment (if any), choices of *retained limits*, *cash contributions*, formulas and other relevant details shall be determined by the *Board*.

Any *pooled coverage program* in effect on the effective date of these Bylaws shall be continued in the absence of specific action by the *Board of Directors* to the contrary.

Automobile/General Liability Program

The Automobile/General Liability Program of the *Authority* shall provide coverage in accordance with the terms of the current *Memorandum of Coverage* and with limits and *retained limit* options as determined by the *Board of Directors*.

Coverage may be provided by a *pooled coverage program* and/or *purchased coverage programs* as determined by the *Board of Directors* and as described in the Automobile/General Liability Program Master Plan Document, attached hereto and incorporated herein by reference.

Automobile/General Liability Cash Contributions

The Automobile/General Liability Program shall be funded by the annual *cash contributions* of the participating *member entities* at a level which is actuarially determined to be sufficient to cover the predicted losses, loss adjustment expenses, defense costs, *excess insurance* premiums (if any), and a pro rata share of the general and administrative expenses of the *Authority*.

Cash contributions shall be calculated by taking into consideration the following factors:

1. The workers compensation payroll of each *member entity*, as determined by each *member entity's* DE-3DP reports for the four quarters ending March 31 prior to the commencement of the next *program year*.
2. There will be a minimum reported payroll, amounting to a percentage of the total workers compensation payroll for all *member entities* participating in the program, as specified in the Master Plan Document.
3. A 5% surcharge shall be added to the contribution calculation of any *member* that

failed to have a properly designated representative (*Director/Alternate*) attend at least 50% of the *Board* meetings held during the immediately preceding *program year*.

Funds on deposit for each pooled layer of each *program year* shall be accounted for separately. Borrowing between *program years*, collectively, to cover losses, will be permitted, provided that the California Joint Powers Risk Management Authority liability program, as a whole, is determined to be actuarially sound and the total outstanding borrowing does not exceed five million dollars (\$5,000,000.00).

The amount borrowed will be repaid either as a charge against future deposit premium refunds, as they become available, or by a supplemental assessment levied by the *Board of Directors*, if such supplemental assessment is determined to be necessary by the *Board*.

Interest will be charged on the borrowed funds based on the average monthly interest rate earned by the Authority, as determined by the *Treasurer*.

Cash contributions made to the Authority, and any investment income attributed to such funds, shall be held in trust by the Authority for the benefit of the *member entities*. After payment of all *claims*, *claims* expense and other expenses which are the obligation of a *program year*, any remaining assets shall be redistributed to the participating *member entities* in accordance with their pro rata share of contributions.

For Program Years 2008-2009 and following, the Authority will establish an Excess Loss Fund that will be used to provide funds in the event losses, loss adjustment expenses, and defense costs expended for any *program year* exceed the amount of cash contributions (and any interest earnings thereon) for loss funding for that *program year*. Payments from the Excess Loss Fund will not be charged back to the *program year* nor will the payments result in any assessment against *program year* members, but will instead act as a form of “stop loss” for the loss fund for that *program year*.

The Excess Loss Fund shall be accounted for as a single fund applying to all *program years* for 2008-2009 and following. Members retain an equity interest in funds contributed to the Excess Loss Fund and will be credited with any interest income realized by the Excess Loss Fund in proportion to their pro rata share of total contributions to the fund at the time the investment income is earned. Should any *Member Entity* withdraw from the Authority, the *Board* will establish a plan for an orderly return of the withdrawing member’s equity over a period of time, so that the Excess Loss Fund remains actuarially sound. The withdrawing member’s equity interest in the Excess Loss Fund shall be calculated on the basis of its pro rata share of equity balance at the time of withdrawal, but this figure shall be subject to subsequent adjustment because of any payments for losses and expenses by the Excess Loss Fund on account of occurrences taking place while the *Member Entity* participated, and the withdrawn member shall continue to be entitled to its pro rata share of interest earned on any balance it has remaining in the Excess Loss Fund. The Board shall be entitled to

maintain reasonable reserves in the Excess Loss Fund, but after all *program years* during which the withdrawn member participated are closed out, the withdrawn member will be entitled to a return of any remaining equity it has in the Excess Loss Fund. A withdrawn member will be required to pay an assessment in the event its equity balance in the Excess Loss Fund becomes negative on account of losses paid from the Excess Loss Fund for occurrences taking place during the program years in which the withdrawn member participated.

The *cash contributions* of each *member entity* may be modified by the application of credits or charges as determined by the *Board of Directors* and in accordance with applicable policies and procedures adopted by the *Board*.

Cash contribution invoices are payable upon receipt and become in arrears thirty (30) days after the commencement of the *program year*. Interest and/or penalties for all such invoices in arrears shall be calculated in accordance with policies and procedures adopted by the *Board*.

Workers' Compensation Program

The Workers' Compensation Program shall consist of the following:

- a. The *Authority* may purchase a policy of commercial *excess insurance* providing coverage with limits to be determined by the *Board of Directors*.
- b. The *Authority* may establish and maintain a *pooled coverage program* for *claims* below the commercial *excess insurance*, at the discretion of the *Board of Directors*, in an amount determined by the *Board*.
- c. *Member entities* desiring to become participants in this *pooled coverage program*, after July 1, 1990, may do so with the concurrence of at least two-thirds of the entities participating therein.
- d. *Member entities* may be expelled from this *pooled coverage program* by a vote of three-fourths of the remaining participants.
- e. If the Workers Compensation Program is in effect, terms and conditions shall be as described in the Workers' Compensation Program Master Plan Document, attached hereto and incorporated herein by reference.

Workers' Compensation Cash Contributions

The *cash contributions* shall be sufficient to pay the commercial *excess* workers compensation *insurance* premium, to fund the *Authority's pooled coverage program* (if any) and to pay a portion of the *Authority's* general and administrative expenses in an amount to be determined by the *Board of Directors*.

The cash contributions shall be based upon each *member entity's* DE-3DP payroll for the four

quarters ending March 31 prior to the commencement of the next *program year*.

Cash contribution invoices are payable upon receipt and become in arrears thirty (30) days after the commencement of the *program year*. Interest and/or penalties for all such invoices in arrears shall be calculated in accordance with policies and procedures adopted by the *Board*.

Property Program

The Property Program shall consist of the following:

- a. The *Authority* may purchase a policy of *excess insurance* with limits to be determined by the *Board of Directors*. The coverage of such policy shall be as stated in the excess policy and as negotiated with the excess carrier(s).
- b. The *Authority* may establish a *pooled coverage program* for *claims* below the commercial *excess insurance*, at the discretion of the *Board of Directors*, in an amount determined by the *Board*.
- c. *Member entities* desiring to become participants in this *pooled coverage program*, after July 1, 1990, may do so with the concurrence of at least two-thirds of the entities participating therein.
- d. *Member entities* may be expelled from this *pooled coverage program* by a vote of three-fourths of the remaining participants.
- e. The terms and conditions of the Property Program shall be as described in the Property Program Master Plan Document attached hereto and incorporated herein by reference.

Property Program Cash Contributions

The cash contributions shall be sufficient to pay the commercial excess property insurance premium, to fund the *Authority's pooled coverage program* (if any), and to pay a portion of the *Authority's* general and administrative expenses in an amount to be determined by the *Board of Directors*.

The *cash contribution* shall be based upon each *member entity's* stated property values and may be adjusted by the *Board* to take into account special or unusual risks.

Cash contribution invoices are payable upon receipt and become in arrears thirty (30) days after the commencement of the *program year*. Interest and/or penalties for all such invoices in arrears shall be calculated in accordance with policies and procedures adopted by the *Board*.

ARTICLE XI

MEMORANDUM OF COVERAGE FOR THE AUTOMOBILE/GENERAL LIABILITY POOLED COVERAGE PROGRAM

The following provisions shall apply with regard to the *Memorandum of Coverage* for the Automobile/General Liability *pooled coverage program*:

- a. No action shall lie against the *Authority* with respect to the coverages and related provisions defined in the *Memorandum of Coverage (Memorandum)* for the Automobile/General Liability *pooled coverage program* unless, as a condition precedent thereto, there shall have been full compliance with all of the terms of the *Memorandum*, nor until the amount of the covered party's obligation to pay shall have been finally determined either by judgment against the covered party, after actual trial, or by written agreement of the covered party, the claimant and the *Authority*. Any person or organization, or the representative thereof, who has secured such judgment or written agreement, shall thereafter be entitled to recover under said *Memorandum* to the extent of the coverage afforded therein. No person or entity shall have any right under said *Memorandum* to join the *Authority* as a party to any action against the covered party to determine the covered party's liability, nor shall the *Authority* be impleaded by the covered party or its legal representative. Bankruptcy or insolvency of the covered party or of the covered party's estate shall not relieve the *Authority* of any of its obligations under said *Memorandum*.
- b. The *Authority* shall be subrogated, to the extent of any payment hereunder, to all the covered party's rights of recovery, and the covered party shall do nothing after loss to prejudice such rights and shall do everything necessary to secure such rights. Any amount so recovered shall be apportioned as follows:
 1. The *Authority* shall be reimbursed first to the extent of its actual payments. If any balance remains unpaid, it shall be applied to reimburse the covered party.
 2. The expenses of all such recovery proceedings shall be apportioned in the ratio of the respective recoveries. If there is no recovery in proceedings conducted by the *Authority*, it shall bear the expenses thereof.
 3. The *Authority* shall not be liable to any Covered Party for reimbursement of ultimate net loss covered under the Memorandum of Coverage unless the Covered Party has timely reported the claim and submitted, no later than two years after final judgment or settlement of the claim, a request for reimbursement, itemizing the amount sought and providing any necessary supporting details. This paragraph shall operate as a limitations period on any

claims for reimbursement of covered ultimate net loss, and operates in addition to the requirements set forth above of full compliance with all other terms of the Memorandum of Coverage.

ARTICLE XII

ASSESSMENTS

Upon a two-thirds vote of the *entire Board*, the *Board* shall have the authority to levy a *cash assessment* for any *pooled coverage program*. There must be a finding by the *Board* that there are insufficient funds available to the *Authority* to meet its legal obligations.

A *cash assessment* shall be directed only to those *member entities* or former *member entities* which participated in the *pooled coverage program* during the *program year* in which the *covered loss*, causing the assessment, was incurred.

Any costs, including attorney fees incurred by the *Authority* in collecting any *cash assessment*, shall be reimbursed in full by the *member entity* against which such collection action has been taken.

ARTICLE XIII

NEW MEMBERS

The *Board* has established the following criteria for considering new members:

1. Pool Membership

Applicants accepted for membership after April 28, 1992, must participate in at least Pool Layers C and D of the Automobile/General Liability *pooled coverage program*.

2. Coverage

JPA's accepted for membership after April 28, 1992, may not add new members for CJPRMA coverage purposes, for a period of three years following their admission to the new JPA member, without the specific approval of two-thirds of the CJPRMA *Board of Directors*.

3. Application Process

Any applicant desiring to be considered for membership by CJPRMA must adhere to the following procedure:

- a. Complete a CJPRMA application form which may include, but not be limited to, the following information:
 - 1) underwriting data for the current year;
 - 2) payrolls for the prior five years;
 - 3) loss history for the prior five years,
 - 4) a copy of the most recent *claims* audit and actuarial reports;
 - 5) a copy of the most recent audited Financial Statements;
 - 6) an indication as to the *pooled coverage programs* in which the prospective member wishes to participate and the anticipated *retained limit* for such programs; and
 - 7) descriptions of its risk management programs.
- b. Provide an actuarial study in a framework that is acceptable to CJPRMA.
- c. Provide a current accreditation or independent consultant 's report from an

organization that is acceptable to CJPRMA.

- d. Submit to a staff analysis of their qualifications for membership and provide whatever documentation is required.
- e. Comply with any other requests or considerations made by the *Board of Directors*.

Additionally, applicants may, at their option, request a non-binding vote regarding their membership application. Subsequent to that vote, it shall be the applicant's decision as to whether or not they wish to continue with the application process.

Upon review of a prospective *member entity's* application, and after necessary site visits by staff, a report, containing a staff recommendation, will be presented to the *Board of Directors*. The prospective *member entity* will be invited to attend a meeting of the *Board of Directors* to respond to questions concerning the application. The affirmative vote of two-thirds of the members of the *entire Board* is necessary for admission to the *Authority*.

ARTICLE XIV

TERMINATION AND DISTRIBUTION

Upon termination of the *Authority*, in accordance with Article XXIV of the JPA Agreement, the *Authority* shall take all necessary actions to properly dispose of all *claims* and other liabilities of the *Authority*. When all obligations have been satisfied, all remaining assets of the *Authority* shall be distributed as follows:

Cash Contributions:

All remaining *cash contributions* shall be distributed among only the parties which have been participants in its *pooled coverage program*, including any of those parties which previously withdrew, or were expelled, pursuant to Articles XXI and XXII of the JPA Agreement and in accordance with the terms and conditions of the Bylaws. Each qualifying participant's share shall be determined on the same basis as the redistributions for each Automobile/General Liability *program year*.

Real and Personal Property (other than cash contributions):

All real and personal property shall be liquidated. Each member entity of the *Authority*, at the time of the *Authority's* termination, and each expelled or withdrawn *member entity*, which participated in the Automobile/General Liability program within the five years immediately preceding the termination, shall qualify to receive a portion of the *Authority's* liquidated assets. The cash from the liquidated assets will be distributed in the same manner as the *cash contributions*. The *Board* shall determine and make such distribution within six months after the last pending *claim* or *covered loss*, subject to the JPA Agreement, has been finally resolved.

ARTICLE XV

AMENDMENTS

These Bylaws may be amended by a *majority vote* of the *entire Board* provided that any amendment is compatible with the purposes of the *Authority*, is not in conflict with the JPA Agreement, and has been submitted to the *Board* at least thirty (30) days in advance.

Any such amendment shall be effective immediately, unless otherwise designated.

APPENDIX A

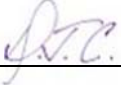
PRINCIPAL EXECUTIVE OFFICE

The principal address of the California Joint Powers Risk Management Authority for the transaction of business and receipt of all notices shall be:

3252 Constitution Drive
Livermore, CA 94551

**CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY**

AGENDA BILL

ITEM: 4	TITLE: EXECUTIVE COMMITTEE ROLES AND RESPONSIBILITIES
MEETING: 07/16/2015	
GENERAL MANAGER: 	

Recommended Actions:

None required. This item is presented as an information only item.

Strategic Direction:

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

Item Explanation:

There are two new members joining the Executive Committee effective July 1, 2015. In addition the President and Vice-President of the Board of Directors assumed their new roles effective June 18, 2015.

President Carmona requested this agenda item as an opportunity to discuss the primary responsibilities of the Executive Committee, evaluate meeting dates and discuss the goals of the committee for the 2015-2016 program year. The CJPRMA Bylaws contain the specific responsibilities and authority granted to the committee.

Article IV of the Bylaws states the following:

EXECUTIVE COMMITTEE

The President and Vice-President shall serve on the Executive Committee during their incumbency in those offices. The remaining five members shall be elected from among the directors to serve a term of two years under the procedures set forth below. A member entity cannot hold more than one (1) position on the Executive Committee. A non-officer director must have served on the Board for at least twelve (12) months preceding the date of the election for the office.

Powers

The powers of the Executive Committee shall be those powers delegated to it by the Board of Directors which may include but are not limited to:

- a. personnel matters concerning salary, benefits and working conditions of staff;*
- b. approval of warrants;*
- c. approval of Requests for Certificates of Coverage for Additional Covered Parties;*
- d. covered loss settlement authority in an amount as determined by the Board;*
- e. approval of contracts for routine services (claims audit, financial audit, actuarial study, etc.);*
- f. other authority as delegated by the Board.*

The Board of Directors may revoke any of the powers delegated to the Executive Committee by a majority vote of the entire Board.

Election and Removal of Executive Committee Members

Election of two non-officer members of the Executive Committee shall occur at the June Board of Directors meeting in each odd numbered year by election from an eligibility list prepared by staff. The eligibility list shall consist of all Directors meeting the eligibility requirements set forth in this Article.

Appointment of three directors shall be conducted in even numbered years, one from each of three lists, after the election of officers. Staff shall prepare, starting with the June 2009 election, three lists of directors, randomly generated. One list shall consist of Directors from Member Entities that are themselves joint powers authorities; one list shall consist of Directors from Member Entities that are cities with a population of 100,000 or more; and one list shall consist of Directors from Member Entities that are cities with a population of less than 100,000. The eligibility list used in June, 2009 will carry over from the rotation order previously generated. The directors at the top of each applicable list shall be considered elected to open positions on the Executive Committee for a single term of two years each. If a director reaches the top of the list but is ineligible by reason of not having served on the Board for at least twelve (12) months, that Director will be passed but remain at the top of the list for the next election. If a Director reaches the top of the list but wishes to decline election to the Executive Committee, the Director may do so on a one-time basis only, but shall remain at the top of the list for the next following election.

The President and Vice President shall be limited to two consecutive two-year terms, and will not be eligible to run for the same office after completing two terms, until being out of office for at least one term. Upon completion of a term as President, Vice President or as a member of the

Executive Committee, a Director will move to the bottom of the eligibility list for election to the Executive Committee.

The immediate past President will serve one (1) two year term on the Executive Committee. This will be a non-voting member of the committee.

Non-officer vacancies on the Executive Committee for rotation list positions will be filled by appointment of a replacement from the top of the applicable eligibility list, to fill the remainder of the unexpired term and the following two-year term. Non-officer vacancies on the Executive Committee for odd year election positions shall be filled by Board vote at the next meeting following the vacancy, to fill the remainder of the unexpired term.

New Member Entities shall be added at the bottom of the applicable eligibility list at the time of admission to membership in the Authority.

Non-officer members of the Executive Committee may be removed by the affirmative vote of three-fourths of the members of the entire Board of Directors at any regular or special meeting of the Board of Directors.

Any member of the Executive Committee who has failed to attend at least 50% of the regular meetings of the Executive Committee within any 12 consecutive month period shall be automatically removed from the Executive Committee and from office if he/she is the President or Vice President.

Article V, Executive Committee Meetings states the following:

Executive Committee Meetings

The Executive Committee shall hold at least six regular meetings each year, some of which may coincide with meetings of the Board of Directors. The President, at the final Executive Committee meeting in each calendar year, shall fix the date, hour and location at which the regular meetings in the succeeding year are to be held and notify all directors of such dates, times and locations. The President or General Manager/Secretary may request special meetings as needs dictate. Notice of such special meetings shall be delivered personally, by electronic facsimile transmission or by mail, as provided by state law, to each Board member at least twenty-four (24) hours before the time of such meetings.

A regular or special meeting of the Executive Committee may be cancelled or postponed by the President or General Manager/Secretary by notice delivered personally, by electronic facsimile transmission or by mail, as provided by state law, to each Board member at least twenty-four (24) hours before the time of such meeting.

Under Agenda Bill #2 of this agenda, the Executive Committee reviewed a proposed modification to the authority levels for the settlement of claims. The authority to settle claims is extended to the Executive Committee from the Board of Directors under Article IX of The Bylaws that are titled "Settlement of Claims".

This committee is also called upon to review items that will be recommended to the Board of Directors by the general manager and staff. The purpose of this committee is to have a smaller group of directors that are in a position to evaluate alternatives and provide direction to the general manager regarding business issues related to CJPRMA.

This committee is also responsible for performing the annual evaluation of the general manager. The general manager provides the committee with a report on the current adopted goals and objectives and provides a detailed description of the accomplishments that contribute to achieving the goals and objectives.

President Carmona and staff will discuss key issues facing CJPRMA with the committee and will review the current adopted meeting calendar for this program year. In addition, members of the committee will be asked to provide their input on developing specific goals for the committee for the current program year.

The general manager will serve as the facilitator for the discussion and will be available to provide support to the committee.

No formal action is required by the Executive Committee.

Fiscal Impact:

1. None. There are no required actions by the committee on this agenda bill and therefore there will be no action taken.

Exhibits:

1. Meeting Schedule for Executive Committee.



CALIFORNIA JOINT POWERS RISK MANAGEMENT AUTHORITY

2015 MEETING SCHEDULE

Executive Committee..... Thursday, January 15, 2015

Board of Directors Thursday, March 19, 2015

Executive Committee..... Thursday, April 23, 2015

Board of Directors Tuesday, Wednesday & Thursday,
(Annual Membership Meeting) May 19, 20 & 21, 2015

Board of Directors Thursday, June 18, 2015

Executive Committee..... Thursday, July 16, 2015

Executive Committee..... Tuesday, September 15, 2015

Board of Directors Thursday, October 22, 2015

Executive Committee..... Thursday, November 19, 2015

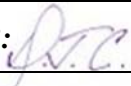
Board of Directors Thursday, December 17, 2015

No meetings are scheduled for February or August.

Approved By BOD: 10/23/2014

**CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY**

AGENDA BILL

ITEM: 5	TITLE: STATUS UPDATE ON GENERAL MANAGER'S GOALS & OBJECTIVES 2013-2015 WITH ACCOMPLISHMENTS
MEETING: 07/16/15	
GENERAL MANAGER: 	

Recommended Actions:

None. This item is being provided to the Executive Committee as an update on the 2013-2015 Goals and Objectives with the accomplishments of the General Manager.

Strategic Direction:

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

Item Explanation:

The General Manager's Goals and Objectives FY 2013-2015 were created to identify the areas of priority for staff in meeting the objectives of the adopted strategic plan.

The Executive Committee and general manager review and discuss the goals and objectives at their meetings. At the October 2013 Board of Directors Meeting, the Board referred authority to the Executive Committee to adopt the General Manager Goals and Objectives for the FY 2013-2015.

This document has been the key document utilized by the Executive Committee for the purpose of evaluating the performance of the general manager. It has also been used as a communication tool to keep both the Board of Directors and the Executive Committee informed of the accomplishments of the CJPRMA team. The Board of Directors has referred the responsibility of monitoring the general manager's accomplishments and activities to the Executive Committee.

The new goals and objectives adopted at the April 2014 meeting were designed for a two-year period. Discussions by the Executive Committee indicated that it was difficult and time consuming to recreate the goals and objectives on an annual basis. The two-year duration on the goals will allow the organization to continue with a long-range approach to the operation of CJPRMA.

Current accomplishments year-to-date have been added to the format for review. This agenda bill will be provided to the Board of Directors at the May and October meetings. This item will be included on the "Consent Calendar" of the agenda. The purpose of this item is to keep the Board informed of the activities of the general manager and staff. This document will also

provide the Board of Directors with feedback regarding the status of the current Strategic Plan and will document activities meeting those objectives.

This item is being provided as a discussion item only and the Executive Committee is not required to take any action.

Fiscal Impact:

None.

Exhibits:

1. General Manager's Goals and Objectives 2013-2015 with accomplishments



GENERAL MANAGER GOALS & OBJECTIVES FOR 2013- 2015

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
Financial Strength and Solvency 15%	<p>The general manager will monitor the development of programs and services for the organization that maintain the invested assets of CJPRMA, maintain or reduce the current costs to members and provide enhanced excess/reinsurance coverage to member exposures. Will make recommendation to the Board of Directors as needed.</p>	Executive Committee	<ul style="list-style-type: none"> • Placed all 2015/2016 Renewals with benefits to members reducing costs • Working with broker and underwriters on PY15/16 renewals. • Managing aspects of building maintenance and takeover of common area maintenance from the previous owner. • Preparing to provide an RFP for a 5 year extension of DaVita Dialysis lease. • Presented proposed rates 14-15 program year to B.O.D at the December meeting. • Invoiced membership for 14-15 program year meeting target pricing. • G.M. presented an alternative approach to collecting contributions for PY 2014-2015 by reducing ELF contributions to balance loss of investment income. • Managed the income received from tenant DaVita to offset cost of admin fees. • Provided feedback to B.O.D. at each meeting to advice on status of investment income.

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Develop core products and services with innovation.</p> <p>15%</p>	<p>The general manager will continue to evaluate and monitor the core products and services provided to members. These products and services will be driven to insure financial strength and solvency to CJPRMA. CJPRMA will also attempt to broaden coverage and services that meet the needs for cost effective services for our members.</p> <p>The primary areas of focus for the achievement of this goal will include the following:</p> <ol style="list-style-type: none"> 1. Risk Management Information Services 2. Coverage 3. Claims Management 	<p>General Manager</p>	<ul style="list-style-type: none"> • Implemented Cyber Liability Program • Working with Aon on renewal of broker contract • Working with Ventiv to deliver mapping services, MMSEA and contract renewal • Evaluation of program changes to stabilize costs and improve services for members. • Created a Risk Console Users Group for CJPRMA users. • In the process of implementing Cyber Liability Program. • Moved organization to new liability reinsurance partner with significant reduction in costs. • Developed new coverage options with a pollution program, cyber risk program and expanded limits for EPL coverage with new reinsurer. • Worked with actuary and broker to develop new SIR for prospective member ABAG Plan. • Provided risk transfer training and developed state of the industry recommended clauses for contracts to offset impact of new ISO forms. • Created an updated flip book method of viewing annual report in digital format. • Delivered ongoing support of Risk Console to members using system. Also performed live demos for Roseville, Livermore, Fairfield, Lodi, Vallejo and Rocklin. Continued to update system to including mapping of exposures and losses. • CAJPA Accreditation Excellences.

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Develop and deliver targeted training programs to members based upon CJPRMA and member loss history.</p> <p>10%</p>	<p>Collect the necessary data for the purpose of identifying the primary loss exposures for CJPRMA and our members. Utilize the data for the purpose of developing state of the art, effective training sessions for members.</p> <p>The primary areas of focus for completing this objective include the following:</p> <ol style="list-style-type: none"> 1. Targeted training-Aligned to loss history and actual trends. 2. Member Education – Develop a training program for member management and operations. 3. Director Education and Training – Enhance skills of Directors through education and training. 	<p>General Manager</p>	<ul style="list-style-type: none"> • Provided Board Member Orientation in June. Provided City of Stockton training on Contracts and CJPRMA Programs with Bob Marshburn • Scheduled two Bob Marshburn training classes for August. Provided sponsorship for CJPRMA members to attend the ABAG/CSRMA Annual Waste Water Summit. • City of Alameda accident investigation training. • ARM 54 classes scheduled for April 29, 30 and May 1, 2015 • Programs scheduled two sessions with Bob Marshburn on Contract Management • Session delivery on risk management to City of Stockton. • Board Member Orientation scheduled for June 3, 2015. • Will provide training in winter 2015 on property and liability MOC and all insurance programs. • Working with City of Oakland as partner in police liability training program. • Delivered group risk transfer training to over 100 attendees. Delivered specific training to Livermore and Galt. • Provided ARM-P training for several Board Members and delivered testing at the same time. • Scheduling a new ARM series beginning in the fall. • Provided a Board Member Orientation.

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Create an approach to marketing the value of CJPRMA to its members and identify market opportunities for control growth of the organization.</p> <p>10%</p>	<p>Develop a member outreach program that provides members with key information identifying the value of CJPRMA to its members. In addition, evaluate the opportunities for development of a targeted marketing effort to organizations that meet and or exceed current member standards.</p> <p>The primary initiatives for the delivery of an effective outreach program will include:</p> <ol style="list-style-type: none"> 1. Marketing communication brochure 2. Exclusions and alternative coverage 3. Market definition and outreach 		<ul style="list-style-type: none"> • Provided quotation to ABAG –Plan as new member ABAG voted to stay with Reinsurance. • Working with ABAG for PY15/16 program year. • Working with LPFD to cover entire liability program with CJPRMA. • Attended Score Annual Meeting, presented updated information on CJPRMA. • Provided a quote to EBRPD for membership in CJPRMA. • Working with cities of Livermore and Pleasanton to provide membership of Livermore Pleasanton Fire in CJPRMA. • Actively pursued ABAG Plan for membership for PY 14-15. ABAG deferred a determination for changing their program to later in the year. Developed a \$2.5 million SIR to meet their needs. • Creating an educational video for our members on CJPRMA. The history and coverage options available will also be a tool for outreach for new prospects.

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Implement and monitor an information technology upgrade to all CJPRMA systems.</p> <p>10%</p>	<p>CJPRMA is implementing a new RMIS System. The system will be utilized as the primary workflow product for the organization and will provide membership with the opportunity to utilize multiple modules within the system for a significantly discounted pricing. In addition CJPRMA will evaluate all of its technology solutions and will expressly evaluate for following key areas:</p> <ol style="list-style-type: none"> 1. Claims Management Technology 2. Member information upgrade 3. Exposure Data 4. Webinars 	<p>General Manager</p>	<ul style="list-style-type: none"> • New reporting module being explored. • GEO Mapping development in progress • MMSEA Module in development. • Risk Console users include Redding, Stockton and Fremont. New users include Livermore and Roseville. • Presented alternative risk tracking solution to simplify process. Redding and Galt evaluating the solution. • Implemented Risk Console to full functionality – continue to provide training on the use of the program. Also provided demos on Risk Console modules to expose members to options. • Awarded the Innovation Award for Creative Implementation of System.
<p>Provide consultation to board members and individual member agencies by resolving questions and issues concerning agency risk management practices and procedures.</p> <p>10%</p>	<p>The general manager is available to assist board members and their agencies by reviewing contracts, performing audits, reviewing policies and by making practices for best practice risk management. General manager will work with ad-hoc committee to develop CJPRMA standards for risk transfer and will populate the new Risk Console System with standardized contract requirements.</p>		<ul style="list-style-type: none"> • Work with all members on Coverage and contractual issues as requested. • Worked with members on contracts and coverage issues as they arise. Fielding as many as 5 to 15 requests per week to review contracts and advise on coverage. Working with Galt on SWAT agreement with Elk Grove. • Actively working with Livermore on contract issues with LPFD.

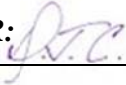
GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Provide updated information to members on CJPRMA programs, services and provide ongoing updates on legislative changes including results of litigation affecting our industry. 5%</p>	<p>CJPRMA staff will provide ongoing updates to members on programs and services and shall provide training on an annual basis that will include:</p> <ol style="list-style-type: none"> 1. New board member orientation 2. Update on all memorandum of coverage documents 3. Claims update 4. Case law updates 	<p>General Manager and Staff</p>	<ul style="list-style-type: none"> • Board Member orientation scheduled for Northern California Members in Redding on August 24th. • Provided ongoing updates on current issues to Board and Executive Committee including Pasadena case and S.B. 854. • Provided Board with updates by claims administrator on pertinent legislation in Sacramento. • Working with CAJPA and Legislative Committee on new issues. • Working with Redding on a letter of support on inverse condemnation published decision. • Actively supporting Vallejo on case law regarding bankruptcy. • Working on appeal with City of Fairfield on private property trespass issue. • Worked on a committee with AGRIP, CAJPA and NLC RISC to develop PR toolkit.

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Enhance the CJPRMA claims processing, litigation management program and the delivery of litigation/claim information to the board of directors. 10%</p>	<p>The general manager will work with staff to continue to improve the delivery of claims management to members. Staff will review options for a preferred provider network of legal counsel, develop improved reporting to the board of directors on all claims and continue to provide semi-annual updates on the overall claims management process and organization experience</p>	<p>General Manager and Staff</p>	<ul style="list-style-type: none"> • Attended multiple mediations on significant cases. Scheduled multiple mock trials and focus groups. • Attended mock trial on two major cases. • Attended major deposition working with counsel on resolving major litigation related to Stockton. • Worked to resolve cases at mediation including Hall v. Fairfield and Glicksman v. Chico. • Working actively with Claims Administrator in communication with members on claims process and litigation. • Developing reports out of Risk Console based on new data entered into system. Prepare detailed reports based on losses. • Performing claims audits and primary claims audits to identify areas requiring improvement. • Actively managing all litigated files in CJPRMA layer. Participate actively in mediations and including members in settlement decision making process.

GOALS	OUTCOMES	COMMITTEE ASSIGNMENT	TASKS COMPLETED
<p>Manage all aspects of the operation of CJPRMA including staff, operations and outside vendors.</p> <p>10%</p>	<p>The general manager has the overall responsibility to oversee the performance of staff and to work with staff to develop capabilities within CJPRMA. General manager must also oversee all outside vendors to insure the highest quality and most efficient use of resources for the delivery of service to the organization and its members.</p>	<p>General Manager</p>	<ul style="list-style-type: none"> • Implementation of OPEB Trust • Working to replace Administrative Assistant vacancy. • Conduction salary survey for staff positions. • Participating in two sessions at the 2015 PARMA Conference. • Managed all aspects of office and conducted ongoing meetings with staff. Evaluating their performance based on the Board Adopted Strategic Plan. • Managed transition of staff member that resigned. Conduct recruitment process including testing and interview panel. • Managed and process all aspects of office function. • Attended the AGRIP CEO Conference.
<p>Manage the CJPRMA facility and coordinate all aspects of building maintenance and maintain relationship with tenant.</p> <p>5%</p>	<p>General Manager will be responsible for maintaining all operations of the new facility and provide oversight and coordination of tenant relationship and coordination of other condo owners at facility.</p>	<p>General Manager</p>	<ul style="list-style-type: none"> • Working on assumption of building management responsibilities. • Developing renewal proposal for 5 year extension on DaVita lease. • Evaluated opportunity to purchase Pencon office space for enhanced investment. • Managing the operation of the office. Work with tenant and owner of other suites to preserve CJPRMA asset. • Evaluating option for implementing video conferencing. • Continue ongoing management of all IT systems, security systems and all other building related infrastructure.

**CALIFORNIA JOINT POWERS
RISK MANAGEMENT AUTHORITY**

AGENDA BILL

ITEM: 6	TITLE: RISK MANAGEMENT ISSUES
MEETING: 07/16/2015	
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. Open Discussion – (*David Clovis – CJPRMA*)

Fiscal Impact

None.

Exhibits:

None.