



Legislation Details (With Board Report)

File #: 20-405 **Name:** CSAC EIA JPA Amendments BD RPT
Type: General Agenda Item **Status:** Passed - County Counsel Office
File created: 5/11/2020 **In control:** Board of Supervisors
On agenda: 5/19/2020 **Final action:** 5/19/2020
Title: Adopt a resolution 1) approving amendments to the Joint Exercise of Powers Authority (“JPA”) currently known as CSAC-Excess Insurance Authority (“CSAC EIA”) primarily renaming the JPA to Public Risk Innovation, Solutions, and Management (“PRISM”) and making other amendments to the Agreement, and 2) authorizing and directing the County Administrative Officer to execute the amended Joint Powers Agreement.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Ex A Summary of JPA redlines March 2020, 3. Ex B JPA Agreement - Final Redline, 4. Ex C JPA Amendments 2020 Final clean, 5. Ex D CSAC EIA JPA amendments reso, 6. Item No. 47 Board Order and Resolution

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|--------|--------|
| 5/19/2020 | 1 | Board of Supervisors | | |

Adopt a resolution 1) approving amendments to the Joint Exercise of Powers Authority (“JPA”) currently known as CSAC-Excess Insurance Authority (“CSAC EIA”) primarily renaming the JPA to Public Risk Innovation, Solutions, and Management (“PRISM”) and making other amendments to the Agreement, and 2) authorizing and directing the County Administrative Officer to execute the amended Joint Powers Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution 1) approving amendments to the Joint Exercise of Powers Authority (“JPA”) currently known as CSAC-Excess Insurance Authority (“CSAC EIA”) primarily renaming the JPA to Public Risk Innovation, Solutions, and Management (“PRISM”) and making other amendments to the Agreement, and 2) authorizing and directing the County Administrative Officer to execute the amended Joint Powers Agreement.

SUMMARY/DISCUSSION:

CSAC Excess Insurance Authority (EIA), a Joint Exercise of Powers Authority (“JPA”), was formed by and for the California counties in 1979 by the California State Association of Counties (CSAC). Monterey County is a voting member of the JPA Board. Today, 55 out of the 58 counties in California participate in one or more of the EIA programs. In 2001, the EIA expanded its offerings to other California public agencies. At this point, over 70% of the cities in California participate in one or more of the EIA programs. In addition, a variety of special districts, school districts, and JPAs also participate in EIA Programs. The EIA is recognized as the largest public entity property and casualty pool in the United States.

After 40 years of existence, the JPA is proposing to change its name to Public Risk Innovation, Solutions, and Management (“PRISM”). The consideration of a name change came at the request of CSAC due to the on-going confusion over the fact that CSAC EIA and CSAC are two completely separate entities. There is additional confusion in the CSAC EIA name as it relates to our current identity. The JPA offers multiple

primary and excess programs and is no longer singularly focused on “excess” programs. The JPA is not an insurance company and does not provide “insurance” from a technical standpoint.

The subject of a name change was discussed with the JPA’s Executive Committee and various Committee Chairs at a strategic planning retreat in November 2019. Thereafter, the Executive Committee approved moving forward with a name change, and staff and a sub-committee of Executive Committee members were tasked with coming up with a new name. Some points that were at the forefront of the discussions regarding a new name include: (1) removing confusion by eliminating “CSAC,” “Excess,” and “Insurance” from our name; and (2) taking California out of the name since the organization is poised to expand its programs and services to public agencies across the nation. The new name - Public Risk Innovations, Solutions, and Management - will support the organization’s current and future identity as one of the largest, most successful member-directed risk sharing pools in the nation.

The main purpose of the proposed JPA Amendments is to substitute the new name for the old one throughout the document. One other notable change is that the provision that county members must maintain their membership in CSAC is being removed. This will help the organization create a unique identity apart from CSAC. The removal of this requirement does not affect the governance of the JPA in any way. The JPA’s relationship with CSAC is very good, and its desire is to continue to foster a very strong and collaborative relationship with CSAC going forward. CSAC is aware of this proposed change and has not expressed any concern over it.

The proposed amendments are an amendment to the existing CSAC EIA joint powers agreement. The existing JPA is not being “rescinded or terminated.” The parties to the amended agreement are not entering into an agreement to create a new joint powers agency; rather, the parties are simply amending the existing Agreement.

Since the JPA Agreement was being amended to address the name change and removal of the CSAC membership requirement, the EIA has also made some other amendments to the Agreement to “clean up” the document to coincide with current practices and the future vision of the organization.

A summary of the proposed amendments is attached as Exhibit A. An underline/strikeout version of the amended JPA Agreement is attached as Exhibit B. A clean version of the amended JPA Agreement is attached as Exhibit C.

Finally, the County, as a voting member, is entitled to name a primary and alternate member of the JPA’s Board of Directors. Previously, County Counsel Charles J. McKee was named primary, and Satinder Kaur, a Management Analyst responsible for insurance in the Risk Management Division of the County Counsel’s Office, was named as alternate. Mr. McKee has been named county Administrative Officer and Ms. Kaur has left County employee, and it is therefore necessary for the Board to designate new primary and alternate Directors to the JPA. It is proposed that Mr. McKee, in his capacity as CAO, be named primary, and that County Counsel - Risk Manager Leslie J. Girard be named alternate.

A proposed resolution is attached as Exhibit D.

OTHER AGENCY INVOLVEMENT:

The County Administrative Officer concurs in the recommendation.

FINANCING:

There is no financial impact to the County from this action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Leslie J. Girard, County Counsel, x5365

Approved by: Leslie J. Girard, County Counsel, x5365

- Attachments:
- Ex. A - amendment summary
 - Ex. B - underline/~~strikeout~~ of amended agreement
 - Ex. C - clean amended agreement
 - Ex. D - Resolution