

CSAC Excess Insurance Authority
Summary of Proposed Redline Changes
Bylaws
June, 2005

Throughout entire document. References to “counties” are changed to “members” to refer to both county and public entity members.

Page 2, Article III.3. New provision is inserted to provide for an annual meeting of the public entity membership.

Page 3, Article IV.1. Provides that two of the eleven Executive Committee seats are designated for public entity members. In no event can public entity members hold more than two Executive Committee seats.

Page 3, Article IV.2. The Executive Committee will be larger by 2 seats so the 7 is changed to 9. The “or as otherwise provided” language provides some flexibility for mid-term vacancies, staggered terms, etc. where there is not an exact 2 year term.

Page 4, Article IV.5. With the expanded Executive Committee, keeps the quorum requirement at one more than what would normally be required by Robert’s Rules of Order (normally 6 out of 11 would establish a quorum but the board has always desired a stronger quorum requirement for the Executive Committee due to the significance of matters that are delegated to the Executive Committee). Clean-up – last sentence is deleted to bring this provision into compliance with Government Code 25005, a 1975 Attorney General opinion, and current practice.

Page 6, Article VI.1.a. Clean-up – there is now only one property program as these two programs were merged in 1999. There are now two county counsel representatives (instead of one) serving in an advisory capacity on our claims review committee.

Page 7, Article VI.1.b. Clean-up – the underwriting committee has been delegated authority for approval of applications subject to ratification by the Executive Committee. This documents current practice.

Page 7, Article VI.1.c. Clean-up – the property committee has authority for all matters relating to the property program. This documents current practice.

Page 7, Article VI.1.d. (and various other provisions throughout the Bylaws) Clean-up – title change only. The General Manager is now called Chief Executive Officer.

Page 7-8, Article VI.1.e. Clean-up – the medical malpractice committee has authority for all matters relating to the medical malpractice program. This documents current practice.

Page 8-9, Article VI.4. Clean-up – the provision is deleted to bring this provision into compliance with Government Code 25005, a 1975 Attorney General opinion, and current practice.

Page 11, Article XI.(b & c). Clean-up – this documents current practice. Settlement authority is delegated to claims review and medical malpractice committees.

Page 11, Article XII. Clean-up – Article 13 of the JPA mirrors the Government Code and provides two options for Treasurer/Auditor services, either using the services of one of the members or providing the services in-house. This provision in the Bylaws selects the in-house option and appoints the CEO as Treasurer and CFO as Auditor. (When the EIA first started we used the other option of utilizing these services from one of our members).

Page 11-12, Article XIII. This new Article spells out the Public Entity Board member election procedures, terms of office and designates one position each for cities, schools, and special districts. The election procedures are identical to those in place under the current CPEIA structure.