



Council Meeting: August 31, 2010

SUBJECT: Approval of Resolution Delegating Authority to Act on Behalf of the City of Sunnyvale in Matters Relating to the California State Association of Counties Excess Insurance Authority

REPORT IN BRIEF

In July 2004, the City of Sunnyvale joined the California State Association of Counties Excess Insurance Authority (CSAC EIA) for procurement of insurance and risk management services. In order to ensure that individuals are authorized to fully act on behalf of their respective entity, CSAC EIA is requiring the governing board of all member entities to officially designate a representative, either an individual or a position, which has authority to officially act on behalf of their entity.

BACKGROUND

Each member entity of CSAC EIA has designated a primary contact person who receives all communication regarding matters related to CSAC EIA such as notifications, requests for information, renewal premium quotes, invoices, etc. However, that individual may or may not be officially authorized by its governing board to act upon official matters such as executing Memorandums of Understanding and entering into service agreements. The CSAC EIA desires to ensure that the individuals executing such documents and agreements are authorized to do so. Therefore, they are requiring the governing board of each member to designate a representative who is authorized to do so. The official designated representative can be an individual or a position who has been delegated such authority. The representative for communications with the CSAC EIA will not change. All communications will still come through the primary contact person.

EXISTING POLICY

This is a new requirement from CSAC EIA. In practice, the Risk Manager has been the City's point of contact with CSAC EIA and has acted on behalf of the City. This resolution will formalize this authority as required by CSAC EIA.

Sunnyvale Municipal Code section 2.08.070 (b)(5) lists Insurance and Bonds as an exemption to the City's competitive bidding requirements.

DISCUSSION

The City's Risk Manager is the primary contact person with CSAC EIA, and the resolution delegates authority to the Risk Manager to act on the City of Sunnyvale's behalf in matters relating to the City and CSAC EIA.

FISCAL IMPACT

There is no fiscal impact to the City of Sunnyvale in approving the resolution.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

ALTERNATIVES

1. Adopt resolution delegating authority to the Risk Manager to act on behalf of the City of Sunnyvale in matters relating to the City and CSAC EIA.
2. Do not adopt resolution.

RECOMMENDATION

Staff recommends approval of Alternative #1. Adopt resolution delegating authority to the Risk Manager to act on behalf of the City of Sunnyvale in matters relating to the City and CSAC EIA.

Reviewed by:

Teri Silva, Director, Human Resources
Prepared by: Anthony Giles, Risk Manager

Reviewed by:

Grace Leung, Acting Finance Director

Approved by:

Gary Luebbers
City Manager

Attachments

1. Resolution Delegating Authority to Risk Manager to Act on Behalf of City of Sunnyvale

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE DELEGATING AUTHORITY TO RISK MANAGER TO ACT ON BEHALF OF CITY OF SUNNYVALE

WHEREAS, the CSAC Excess Insurance Authority (Authority) has determined that it is necessary for each member of the Authority to delegate to a person or position authority to act on the member’s behalf in matters relating to the member and the Authority; and

WHEREAS, except as to those actions that must be approved by the City of Sunnyvale City Council, such delegation of authority is necessary in order to carry out the purposes and functions of the Authority with its members; and

WHEREAS, in order to ensure a person or position is delegated with authority to act on the member’s behalf in matters relating to the member and the Authority, action by the member’s governing body is necessary; and

NOW THEREFORE, BE IT RESOLVED by the City of Sunnyvale City Council, as follows:

Except as to actions that must be approved by the City of Sunnyvale City Council, the City’s Risk Manager, is hereby appointed to act in all matters relating to the member and the Authority.

Adopted by the City Council of the City of Sunnyvale at a regular meeting held on August 31, 2010, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

APPROVED:

 City Clerk
 SEAL

 Mayor

APPROVED AS TO FORM AND LEGALITY:

 David Kahn, City Attorney