



CITY MANAGER'S OFFICE

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CITY COUNCIL STAFF REPORT

Date: February 19, 2026

Subject

Consider designation of the following positions as appointees to the PLAN JPA Board of Directors: Senior Assistant City Attorney, Board Member; and Senior Management Analyst, Board Alternate.

Recommended Action

Adopt Resolution No. ____ appointing the following positions to the PLAN JPA Board of Directors: Senior Assistant City Attorney, Board Member; and Senior Management Analyst, Board Alternate.

Background

In 2018, Cupertino entered into a Joint Powers Agreement to form the Pooled Liability Assurance Network ("PLAN JPA"). PLAN JPA – currently consisting of 28 cities – is a self-funded insurance pool originally created in 1986 by the Association of Bay Area Governments. PLAN JPA provides the City with, among other things, liability and property insurance. PLAN JPA is governed by a Board of Directors consisting of one representative from each member agency.

As a self-insurance pool, the member cities jointly share risks in the programs in which they participate. Cupertino participates in the Liability, Property, Auto and Cyber Programs.

The largest program that the City participates in is the liability program. In turn, the largest components of the liability program are claims and litigation.

Reasons for Recommendation and Available Options

The PLAN JPA By-laws provide that appointees are made to positions, not individuals. The Administrative Services Director position is the current designated Board Member, with the Human Resources Manager position as the Board Alternate.

The positions that are appointed by cities to the Board are typically from the following departments: City Manager, City Attorney, Administrative Services/Finance and Human

Resources. Prior to the City's appointment of the Administrative Services Director position as the designated Board member, the designated Board member was the City Attorney (last held in 2018 when the position was transitioned to a contract City Attorney).

Due to the impact to the City from claims and litigation, staff recommends that the Senior Assistant City Attorney and the Senior Management Analyst in the City Attorney's office be appointed as Board members since they oversee the claims and insurance process on a day-to-day basis.

While the PLAN JPA By-laws require appointments of positions and not individuals, the current Senior Assistant City Attorney previously served as the Board Member of the City of Berkeley's insurance pool for 9 years where he also served as the Treasurer and Chairperson of the Finance and Underwriting Committee and a member of the Executive and Memorandum of Coverage Committees. The current Senior Management Analyst in the City Attorney's Office has for the last 8 years managed and overseen the City's claims program, working closely with staff and the Third Party Claims Administrator to review, investigate and resolve claims.

Sustainability Impact

No sustainability impact.

Fiscal Impact

None.

City Work Program (CWP) Item/Description

None

California Environmental Quality Act

No California Environmental Quality Act impact.

Prepared by: Michael Woo, Senior Assistant City Attorney

Reviewed by: Floy Andrews, Interim City Attorney

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

A- Draft Resolution