



Property Committee Standard Operating Procedures

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INTRODUCTION

In every conversation we have, every initiative we explore, and every action we take, we must hold them up against PRISM's Mission, Vision and Core Values. Together, the Mission, Vision and Core Values are our strategic framework and clarify why PRISM exists and what we aim to be. As you review this document, please keep these in mind:

Mission:

Public Risk, Innovation, Solutions, and Management (PRISM) is a member-directed risk sharing pool of public agencies committed to providing risk coverage programs and risk management services, which drive member stability, efficiency, and best practices.

Vision:

PRISM will continue to be internationally recognized as a leading risk sharing pool for its member-directed operating philosophy and commitment to member fiscal sustainability. PRISM will continue to influence and shape the future of the risk management profession.

Core Values:

PRISM is dedicated to preserving a member-directed culture, defining standards for quality and performance throughout the industry, and ensuring programs and services are:

- **C**ompetitive in scope and price over the long term
- **A**daptable and customized to meet member needs, based on high-quality standards
- **R**esolute in delivering timely solutions that address present and emerging risks
- **E**quitable in allocating costs and services between various members in a fair and consistent manner
- **S**table in supporting cost-effective, fiscally prudent operations *and* long-term solvency, and in building long-term relationships with members and program/service partners.

Composition

The Committee is comprised of 13 members that participate in the Property Program, 11 of which are voting and 2 are alternates. There are designated seats as follows:

- 7 members from the Top 14 Premium Paying Members
- 2 members not from the Top 14 Premium Paying Members
- 1 member from any member participating in the Program
- 1 member from the Public Entity membership
- 2 alternates who are eligible to vote at any meeting where a voting member is absent

Reference: [Committee Composition](#)

Roles

Committee

The Property Committee is responsible for all matters pertaining to the Property Program including but not limited to approval of funding mechanisms, reinsurance placements, and new member applications. From time to time, the Committee may consider contracting with outside parties for services. PRISM's Executive Committee has adopted a Service Provider Contracting Policy which outlines the process for competitive bidding as well as protocols and authorities for entering into such contracts. The Property Committee is responsible for determining whether a competitive selection process should be used for procurement of any new member service offerings or a new service provider for an existing member service in excess of \$50,000. Any renewal contract must go to the Committee for approval of the vendor and the amount to be expended.

The Property Committee has oversight of the following contracts:

- Property Scope of Services - Addendum to Alliant Agreement
- TPA Contract with McLarens Young

Reference: [Service Provider Contracting Policy Statement](#)

Chair

- Call/authorize meeting to be scheduled
 - Staff will contact Chair to arrange date, time, location (in-person or WebEx)
 - Once authorized, staff will notify the Committee members via e-mail
- Call the meeting to order
- Orchestrate agenda items
- Recognize members to facilitate orderly debate
- Preside over voting
- Enforce rules of the group
- Expedite the business of the group

- Declare meeting adjournment

Vice Chair

The Vice Chair's role is to assume the responsibilities of the Chair in their absence.

Staff

- Assist Chair in facilitating meeting, prepare agenda, take minutes, summarize meeting for those not in attendance
- Advisory to the Committee
- Will make recommendations to assist Committee
- [Gina Dean](#) is the staff liaison for this Committee

Broker

- Advisory to the Committee
- Will make recommendations to assist Committee
- Provide underwriting and premium allocation assistance

Reference: [Property Scope of Services from Alliant Contract](#)

Consultants

PRISM utilizes consultants for various services, including but not limited to actuarial, legal advice, third party claims administration, and underwriting. Their role is:

- Advisory to the Committee
- To offer recommendations to assist Committee

Responsibilities/Oversight for Policy Matters

Claims Administration

The Property Committee is responsible for oversight of the claims administration. The Committee has designated McLarens as the TPA for the Program. However, the Committee has approved some exceptions:

- George Hills has been designated as the TPA for Sacramento County (12/2/99 Minutes, Item IV.C.)

From time to time, the Committee will adopt policies relating to the claims administration of the Program. One such policy is regarding authorization to make payments made directly to vendors with the member's execution of an agreement for ensuring compliance with applicable labor laws.

Reference: [12/2/99 Property Committee Minute Order](#)

Reference: [Policy on Reimbursements 3/1/17](#)

Reference: [12/13/21 Property Committee Minute Order](#)

Coverage Matters

Periodically, the Committee is asked to make determinations on the way coverage is to apply and/or how claims are to be administered. Some of the Committee's determinations are outlined below:

- Allocation of Loss Limits – In the event of a loss involving multiple members which exceeds the coverage limits, the coverage will be applied based on each member's proportion of the loss.
- Application of Flood Deductible - In the event of a loss in the 100-year flood zone affecting multiple members, the deductible will be shared based upon each member's percentage of the loss.
- Earthquake Limits can be provided for new entities or covered parties of members of the “free earthquake coverage” Tower.
- Application of Earthquake Deductible – a white paper has been developed to help explain how the deductible might be applied including the deductible assumed by the Catastrphic Risk Pool

The Committee may also determine the coverages to be provided through the Program, either on a mandatory or optional basis. They may also be asked to consider coverage changes on a case-by-case basis.

Reference: [Allocation of Loss Limits – Policy Language](#)

Reference: [Application of Flood Deductible 3/30/05](#)

Reference: [EQ Coverage for New Entities to Tower V 12/19/02](#)

Reference: [Application of Earthquake Deductibles White Paper](#)

Reference: [Policy on the Application of Earthquake Deductible Buy Down Credit](#)

Claims Settlement Authority

Claims are processed by the Program's claims adjuster, McLarens Young Associates, subject to approval by Lexington, the Primary Layer Reinsurance Carrier, and by the Property Committee when necessary per the Program MOU. Staff processes payments from the Pool Layer, subject to the reinsurer's authority.

Reference: [Property Program MOU](#)

Underwriting & Claims Administration Guidelines

The Property Committee oversees the provisions of the Guidelines pertaining to the Property Program and may recommend changes to the Executive Committee and Board from time to time.

Reference: [Underwriting & Claims Admin Standards](#)

Approval of New Members

The Committee has full authority to approve new members for participation in the Program. With assistance from Alliant, staff develops underwriting information for the Committee's review and consideration.

The Committee has delegated authority to staff to approve the addition of new entities to a covered member, subject to certain limitations including a limitation that the total insured value not to exceed \$10 million (5/25/06 Minutes, Item 3.A.).

Reference: [5/25/06 Property Committee Minute Order](#)

Additional Named Covered Parties

The Property Committee has authority to approve additional named covered parties within specified parameters. Authority has been delegated to staff to approve additional named insureds subject to receipt of the underwriting application and resolution from the member's governing board accepting responsibility for the entity's deductible. Staff will then review the underwriting information and approve the additional named insured if it appears the entity has an affiliation with the member, they appear to be an acceptable risk to the Program, and there is no earthquake coverage to be provided.

Reference: [Delegation of Authority for Additional Named Insureds 11/30/01](#)

Approval of Affiliated Non-Profit Named Covered Parties

The Property Committee has been delegated authority by the Board to approve the addition of non-profit entities as additional named covered parties in the Property Program subject to confirmation that the member has an insurable interest or the non-profit exists, as its main purpose, for the benefit of the member. There must also be a determination that there is not an unusual risk involved in covering the non-profit, the member must accept responsibility for providing risk management and loss prevention services to the non-profit, and a written agreement between the member and the non-profit is required.

Reference: [NonProfits Policy Statement 5/31/12](#)

Memorandum of Understanding

The Property Committee oversees the provisions of the Property Program MOU and will consider changes from time to time. The Committee's proposed changes are then circulated to the members and County Counsels (at the member's request) for a 90-day review and comment period. Any comments or suggestions are then presented to the Committee. Once the Committee makes their final approval of the amendments, the amended MOU document is circulated to the members for execution. The Committee may establish a deadline by which the members must execute the amended MOU. Failure to do so effectively provides notice of potential withdrawal at the next renewal.

Reference: [Property Program MOU](#)

Coverage Document

At the Committee's direction, PRISM issues a Memorandum of Coverage for the primary layer to the members along with a summary of the excess layers. The

PRISM maintains a full copy of the excess placements and will provide a copy upon request.

The Property Committee has authority to modify coverage provided by the Program. In 2018, the Committee adopted a Vacant Building Policy which delineates the process for evaluating whether appropriate protective safeguards have been implemented following a loss to a vacant building. If the Committee determines the protective safeguards are not sufficient, they may restrict coverage via endorsement for that location. To assist members, the Committee has also adopted Vacant Building Best Practices, which they made mandatory for Program members to implement.

Most recently, the Committee modified the MOC to account for the primary layer becoming self-insured during the 2022/23 renewal.

Reference: [6/1/00 Property Committee Minute Order](#)

Reference: [Vacant Building Policy](#)

Reference: [Vacant Building Process](#)

Premium Allocation & Rate Setting Methodologies

The Committee oversees the provisions of the premium allocation methodologies and may approve changes from time to time. In general, the Committee has determined their tolerance to risk is “neutral”.

The Committee has authority to:

- declare dividends
- approve of reinsurance or insurance premiums
- consider members’ requests for special deductibles (9/30/10 Minutes, Item 3.C.)

The Committee has adopted the following policies related to premium allocation:

- If a no-claims bonus is provided, it will be distributed to eligible members on a pro-rata basis as a credit against the next year's premium. Eligible members are defined as members currently participating in the Program that did not have a claim in the year which the bonus is being given. (3/21/08 Minutes, Item 3.B.)
- Members have the option to request to reduce the vehicle deductible subject to approval by the Committee and pricing to be determined at the higher of the AUS recommended rate or Lexington’s suggested rate plus 25%. (10/6/11 Minutes, Item 3.B.)
- Authority has been delegated to Alliant to allocate the premium amongst the Property Program members (12/19/12 Minutes, Item 3.E.)

Reference: [Property Program MOU](#)

Reference: [3/21/08 Property Committee Minute Order](#)

Reference: [3/26/07 Property Committee Minute Order](#)

Reference: [9/30/10 Property Committee Minute Order](#)

Reference: [10/6/11 Property Committee Minute Order](#)

Reference: [12/19/12 Property Committee Minute Order](#)

Reference: [Risk Retention Philosophy](#)

Controlled Unaffiliated Business (CUB) Agreements

The Property Committee oversees the provisions of the Controlled Unaffiliated Business (CUB) agreements. The CUBs are a service agreement between PRISM and non-California participants, and are a requirement of Utah regulators to establish a relationship between PRISM and the participant. Amendments may be made from time to time, with approval from Utah regulators, and execution of the amended CUB will be a condition of the participant's renewal, similar to the process when PRISM MOUs are amended.

Out-of-state participants are not subject to dividends or assessments.

Reference: [Property CUB Agreement](#)

Reference: [3/24/20 Property Committee Minute Order](#)

Premium Stabilization Fund/Program Equity

The Property Program may develop a surplus of funds as a result of contributions, excess dividends, premiums savings, etc.

The Property Committee has full authority over use of these funds. The Committee has determined to hold the funds in reserve for flood or other exposures that could result in a loss excess of the aggregate limits or for possible reinsurance failures. The Committee also determined to continue to accumulate the funds. The balance of the Property Fund is reflected in the Program financial statements and reported to the Property Committee annually (3/2/06 Minutes, Item 3.C.).

Reference: [3/2/06 Property Committee Minute Order](#)

Reference: [Property Stabilization Fund Policy 8/12/09](#)

Reference: [1/16/13 Property Committee Minute Order](#)

Catastrophic Risk Pool

Beginning with the 2016/17 year, the Property Program reduced the Earthquake Deductible for members to 2%, even though the reinsurance continues to have a 5% deductible. This risk is now comingled with the Critical Flood exposure in the Program, under one Catastrophic Risk Pool. Members pay premium to fund this exposure. If a loss were to occur before sufficient funds were built up, the Property Committee could always declare an assessment. However, the Committee has determined that the intent would be to borrow from PRISM's Treasury in such an event. The Program could then repay the Treasury, with interest, using future year's premium collection, which would be less impactful to the members.

Reference: [Application of Flood Deductible 3/30/05](#)

Reference: [Application of Earthquake Deductibles White Paper](#)

Risk Tolerance

Each PRISM program has determined its own appetite for risk, which generally ranges between very low to neutral (PRISM Risk Tolerance). A low tolerance for risk creates a bias towards transfer of risk. A high tolerance for risk is characterized by a bias toward retention of risk. The Property Committee has determined that the risk tolerance for the Property Program is neutral, indicating that they agree with the philosophy outlined in the statement.

Reference: [PRISM Risk Tolerance](#)

Reinsurance Placements

The Property Committee is responsible for review and approval of the Program's reinsurance and excess insurance placements. The Committee has established specific guidelines for reinsurance placements.

Primary Layer

The Primary Layer has been placed with Lexington London since the mid-80's. Although the primary placement will remain with Lexington, underwriting was moved to Boston for the first time in 2013. For many years, the placement was made on a three-year, pre-paid basis with the understanding that each year the terms would be renegotiated in exchange for adding another year. The policy continues to be placed on a multi-year basis with the following year terms provided during the current renewal, but premiums are no longer pre-paid. As of 2022/23, the primary \$10k layer will be self-insured by PRISM.

Beginning with the 2017/18 year, the vehicle deductible was reduced to \$10k for vehicles valued at less than \$250k. A new vehicle deductible pooling layer was created, which is capped at the \$400k annual aggregate provided by Lexington. Risk for the \$400k pooled aggregate was transferred to the Excess Insurance Organization, resulting in a premium savings for the members.

Excess Layers

The excess layers are placed with many carriers world-wide. Some coverage is placed on an excess insurance basis and others are placed on a reinsurance basis.

Reference: [Property Use of Reinsurance Policy 3/20/03](#)

Reference: [2/29/96 Property Committee Minute Order](#)

PRISM Affiliated Risk Captive (ARC)

In most years, the Property Program has had some risk before attachment of the Primary Layer. Most recently, the Pool's risk has been \$10M on an annual aggregate basis. Rather than retaining the \$10M aggregated risk for the 2017/18 year, the risk was transferred to PRISM's captive insurance company, PRISM Affiliated Risk Captive (ARC). In addition, the \$400k vehicle deductible aggregate

was also transferred to the ARC. Because the ARC is expected to generate more interest income than can be achieved by PRISM, the premium to transfer the risk was reduced, providing a premium savings to the Property Program members.

Renewal Timeline

A Renewal Timeline Policy has been adopted by the Committee. Penalties may be imposed if a member fails to submit required information within the established timeframes. However, the Committee has the ability to waive penalties if deemed appropriate.

Reference: [Renewal Timeline Policy Statement 5/29/19](#)

Program Services and Administrative Costs

The Committee has discretion to approve Program services on an optional or mandatory basis. Some of the services currently provided are:

- Loss Prevention/Risk Management Services may be provided for the Program or for individual members. Funds are included in the budget to support members, up to \$25k per year, on a matching grant basis. Approval of grant funds is made by the Property Committee.
- Loss Prevention Subsidy of \$1,000 per member per year (3/30/05 Minutes, Item 4.B.)
- Appraisal every five years at no cost for all buildings valued over \$1,000,000; appraisals for buildings valued between \$250,000 - \$1,000,000 will be conducted once every ten years; members can elect to have appraisals performed at a very low cost for their buildings valued less than \$250,000 (Underwriting & Claims Administration Standards, Item VI.B.). A policy has been established by the Committee outlining how the costs for such appraisals will be paid. Alliant will assume the costs for appraisals on buildings valued excess of \$1,000,000. For buildings valued between \$250,000 - \$1,000,000, the costs will be shared 50% by PRISM and 50% by Alliant, for up to 300 buildings per member every 10 years. If a member has more than 300 buildings valued between \$250,000 - \$1,000,000, the costs will be shared 50% by the member, 25% by PRISM, and 25% by Alliant. The determination of which party will be responsible for the appraisal cost will be based on the scheduled value at the time the appraisal takes place. During an appraisal, if it is found that a location has multiple structures at one location, all buildings are required to be appraised. Going forward, the schedule will need to be modified to reflect each building at that location.
- Appraisals for school members will be based on MSB/Boeckh "BVS Estimator" at the Excellent/Premium level (9/30/10 Minutes, Item 3.B.)
- Crisis Incident Management Services are available to the members, up to \$50k per occurrence. These services are funded through the Program's administrative charges to the members (3/1/17 Minutes, Item 4.E.).

The Committee is also responsible for overseeing the administrative expenses of the Program and determining how those costs will be allocated amongst the members. Budget Policies are annually reviewed by the Committee in advance of the budget being developed for adoption by the Board. The Committee may make changes from time to time.

One of the administrative expenses is the Prepaid Balance Adjustment, which is the finance charge as a result of the Program paying the premiums in advance of collection from the members. Most of the Prepaid Balance Adjustment is due to the Program paying more than 1 year's premium to the primary carrier, but collecting only 1 year of premium from the members. The Prepaid Balance Adjustment for each member is fixed at the beginning of the year based upon estimated cash flow and investment earnings. Any differences between the estimates and the actual at the end of the year are added to or taken from the Program's Stabilization Fund (Prepaid Balance Adjustment Policy Statement 3/29/11).

Reference: [Property Loss Prevention Services Policy](#)

Reference: [3/30/05 Property Committee Minute Order](#)

Reference: [Underwriting & Claims Administration Standards, Item VI.B.](#)

Reference: [9/30/10 Property Committee Minute Order](#)

Reference: [Appraisal Services Policy Statement 12/12/17](#)

Reference: [Budget Policies](#)

Reference: [Prepaid Balance Adjustment Policy Statement 3/29/11](#)

Reference: [3/1/17 Property Committee Minute Order](#)

Meetings

Code of Conduct/Ethics Policy

The Board has adopted a Code of Conduct which is applicable to all members, staff, Committees, and the Board.

Reference: [Code of Conduct](#)

Scheduling

The Property Committee will meet as needed and at the call of the Chair. Below are generally when the Committee will meet to address certain matters:

- **March**
 - approval of excess layer renewal terms
- **May**
 - consideration of new member applications
- **November/December**
 - approval of primary layer renewal terms

Quorum

Pursuant to the Bylaws, a quorum consisting of a majority of the Committee (at least six members) must be present in order to conduct a meeting.

Voting Requirements

Pursuant to the Bylaws, the voting requirement is a majority of the Committee (at least six members) for all actions of the Property Committee.

Conflicts

Pertinent PRISM Code of Conduct Provisions:

2. We are committed to the concepts of democratic, effective and efficient governance by responsible, knowledgeable members of the Board of Directors and Committees with an understanding that official decisions made and actions taken by the Authority are always made in the best interests of the Authority's membership, as opposed to the interests of the Authority's staff, service providers, or other outside interests.

9. We are committed to the principle that conflicts of interest, (defined as situations in which a person has a financial or other interest or the appearance of a conflicting interest that would call into question the person's ability to act in an impartial manner with respect to a matter affecting the Authority) should be avoided and where present shall be fully disclosed. This includes situations when a member of the Board, a Committee, staff, or vendor has personal interests (including those of his/her family) that are contrary to his/her loyalty to the Authority.

Vote on behalf of PRISM or the Entity I Represent?

Attorney General Opinion No. 00-708 dated 12/8/00 concluded that a member of the governing board (in this case the Property Committee) of a joint powers agency may cast a valid vote on a matter before the agency that is inconsistent with the position by the legislative body which appointed the member.

Reference: [Attorney General Opinion No. 00-708](#)

Voting When Conflict Arises:

According to FPPC

- Disqualification
 - for financial interest (exception when action required)
- Abstention
 - Conflicting loyalties
 - Perception you can't be fair
 - Ethical dilemmas (exception for necessity to take action)

According to Roberts Rules of Order

- Duty to vote if you have an opinion

- Right to abstain
- Personal interest - must abstain except
 - vote for self in an election
 - vote if other's interests are included in the motion

Closed Session:

Closed sessions may be held in accordance with the provisions of state law and the Brown Act. Information discussed in closed session is confidential. In addition to the Property Committee and Legal Counsel, only individuals necessary for the discussion will be present. The Executive Committee has appointed the PRISM's General Counsel, the Claims Review Committee's Legal Counsel, and the Claims Review Committee's Alternate Legal Counsel to serve as legal counsel to the PRISM's Board of Directors and all PRISM Committees for purposes of obtaining legal advice during closed sessions in accordance with the Brown Act (2/2/12 Executive Committee Meeting, Item 5.B.).

Reference: [2/2/2012 Executive Committee Minute Order](#)

Glossary of Terms

Aggregate: The term used to describe the cumulative amount of all losses for a period of time.

Aggregate Pool: A financial arrangement with the JPA's carrier on the primary layer that caps the pool layer to a predetermined limit (currently \$3M per occurrence and \$10M for all occurrences combined) at which point the primary layer carrier would "drop down" and reimburse the Program for losses within the JPA's SIR or pooled layer.

Appraisal: A professional evaluation of the current market value of a property or building.

Attachment Point: The dollar amount of a loss where the next layer of insurance begins to pay for the loss.

Burning Cost: The premium needed to cover future anticipated losses based on historical experience.

CAJPA (California Association of Joint Powers Authorities): Association of insurance and risk management pools in California. CAJPA performs regulatory and legislative lobbying as well as accreditation of JPAs to promote financial stability and best management practices.

Deductible: Amount of a loss that is the member's responsibility. The Program will pay the loss costs and invoice or charge the member after for the deductible amount. Currently, the carrier on the Primary Layer is responsible for costs associated with

claims adjusting. Those costs are not considered towards satisfaction of the member's deductible.

Difference In Conditions (DIC): A specialized property insurance policy written to provide coverage for perils not covered in a standard property policy or in the JPA's Memorandum of Property Coverage. In particular, it is most often used to provide coverage for earthquake and/or flood losses.

Fire Storm Pool: A separate pool from the Primary Layer Pool to address losses as a result of catastrophic wildfires as defined by ISO.

Incurred Loss: This is the expected value of any claim. It includes the amount already paid plus the estimated amount yet to be paid (reserves).

Limit of Liability: The most that will be paid in a loss.

Loss Adjustment Expense: All expenditures of an insurer associated with its adjustment, recording, and settlement of claims, other than the claim payment itself.

Loss Development: The process of change in amount of losses as a policy or accident year matures, as measured by the difference between paid losses and estimated outstanding losses at one point in time, and paid losses and estimated outstanding losses at some previous point in time. In common usage, it might refer to development on reported cases only, whereas a broader definition also would take into account the IBNR claims.

MOC (Memorandum of Coverage): The policy or coverage document issued by the JPA outlining coverage to its members.

Occurrence: An accident or event, which results in personal injury or property damage, neither expected nor intended from the standpoint of the member.

Outstanding Reserve: The claims administrator's estimate of the ultimate expected value of each claim. As moneys are paid out for a claim, the outstanding reserve amount is decreased.

Peril: A specific risk or cause of loss covered by an insurance policy, such as a fire, windstorm, flood, or theft. A named-peril policy covers the policyholder only for the risks named in the policy in contrast to an all-risk policy, which covers all causes of loss except those specifically excluded.

Policy Year: The year commencing with the effective date of the policy or with an anniversary of that date.

Pooled Loss: The portion of a loss that is allocated to, or paid by, the self-insured pool. For example, the Property Program pools, or self-insures the first \$3M of a loss, less the

member's deductible and subject to the annual aggregate on the pool. Loss costs exceeding the pool amount are paid by the Primary Layer carrier.

Second Event Coverage: Coverage that may be purchased to provide earthquake limits at pre-determined pricing in the event of a catastrophic earthquake event.

Surplus: The excess of assets over liabilities of an insurance carrier. Surplus determines an insurer's or reinsurer's ability to write business. PRISM refers to its "surplus" as Net Equity.

S & T: Sabotage & Terrorism

Total Insured Values (TIV): The values shown on a member's schedule or appraisal for property coverage.

Tower: The Property Program has many different insurance placements which PRISM categorizes as "towers" to illustrate the layering of the various placements.

Trending: The necessary adjustment of historical statistics (both premium and losses) to present levels or expected future levels in order to reflect measurable changes in insurance experience over time, which are caused by dynamic economic and demographic forces, and to make the data useful for determining current and future expected cost levels.

Ultimate Net Loss: The total sum that the insured, or any company as his insurer, or both, become obligated to pay either through adjudication or compromise.

Wholesale Broker: A licensed broker providing specialized insurance products to retail insurance agents and brokers. A wholesale broker will utilize insurers who can consider accounts that the retail agent cannot place with their standard markets. These insurers underwrite specialized or hard to place insurance.