

**RESOLUTION NO. 17-62**

**CITY OF MILLBRAE, COUNTY OF SAN MATEO  
STATE OF CALIFORNIA**

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**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE  
APPROVING AND AUTHORIZING THE EXECUTION OF THE POOLED  
LIABILITY ASSURANCE NETWORK [PLAN] JOINT EXERCISE OF POWERS  
AGREEMENT AND AUTHORIZING THE CITY'S PARTICIPATION IN THE  
AUTHORITY**

**WHEREAS**, the City of Millbrae is a member of PLAN corporation, a California non-profit corporation ("PLAN Corporation") comprised of twenty-eight member agencies pooling their property and liability risk in conjunction with the Association of Bay Area Governments ("ABAG") Joint Exercise of Powers Authority ("JPA"), established pursuant to California Government Code §6500 et seq., and

**WHEREAS**, in 1986 ABAG and PLAN Corporation entered into an Agency Agreement which irrevocably assigned the risk management duties and obligations of ABAG to PLAN Corporation.

**WHEREAS**, the Member Agencies of PLAN Corporation have entered into a Risk Coverage Agreement with each other and ABAG to provide for pooled liability services through PLAN Corporation, and

**WHEREAS**, a new Joint Powers Authority, the "Pooled Liability Assurance Network [Plan] Joint Powers Authority" ("PLAN JPA"), is required to act as fiscal agent and manage the transfer and assignment of all of the current assets and liabilities from PLAN Corporation to the new PLAN JPA, and

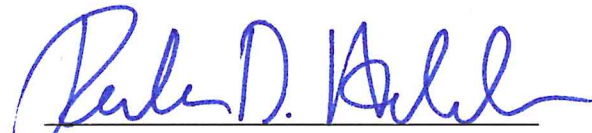
**WHEREAS**, the Members of PLAN Corporation seek to separate from the current model of service involving the necessity of the Agency Agreement and use of the ABAG JPA to the new risk management focused PLAN JPA that would provide pooled risk coverage for its member agencies, with preference for the existing members of PLAN, under a new risk coverage agreement within the PLAN JPA, and

**WHEREAS**, as part of the transition, the contract of Bickmore Risk Services, the pool administrator with PLAN Corporation will be assigned to the PLAN JPA, so that these services can continue in a seamless manner, and

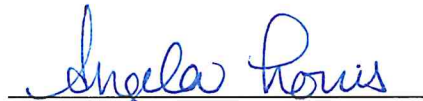
**NOW, THEREFORE, BE IT RESOLVED** that the City Council does hereby authorize the City Manager to execute the Pooled Liability Assurance Network (PLAN) Joint Exercise of Powers Agreement and the City's participation in the PLAN JPA, pursuant to California Government Code §6500 et seq., including the powers delegated therein, conditioned on the transfer of the assets of PLAN to the PLAN JPA, in substantially the form attached to this Resolution with minor technical or clerical corrections, if any, to be included in the authority granted here.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the CITY's PLAN Corporation representative is authorized to approve of the assignment of assets from PLAN Corporation to the JPA, and to approve the assignment of risk management services from PLAN Corporation to PLAN JPA.

**REGULARLY PASSED AND ADOPTED** this 28<sup>th</sup> day of November, 2017.

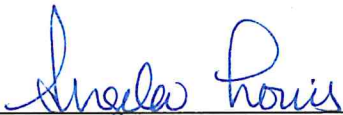
  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 28<sup>th</sup> day of November 2017, by the following vote:

AYES:	COUNCILMEMBERS:	Holober, Papan, Schneider, Lee, and Oliva
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None

  
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CITY CLERK