



Meeting Date: March 11, 2026

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

From: Katie Bruner, Administrative Services Director

Subject: Municipal Pooling Authority Joint Exercise of Powers Agreement and Appointing Members to the Board of Directors

RECOMMENDATION

Adopt two resolutions:

1. Approving the Amended and Restated Municipal Pooling Authority Joint Exercise of Powers Agreement for providing Property, Workers' Compensation, Public Liability, and other insurance coverages, and
2. Appointing the Primary and Alternate Members to the Board of Directors for Municipal Pooling Authority of Northern California; and Rescinding Resolution 52-2010

BACKGROUND

The Town of Moraga is a member of Municipal Pooling Authority (“MPA”) a Joint Exercise of Powers Authority (“JPA”). MPA provides members with administration and self-insured coverage for liability, workers’ compensation, vehicle physical damage, and short-term disability, as well as access to participate in 14 additional programs that offer coverage for property, crime, cyber, and employee benefits. MPA was formally approved by the state as of July 1, 1977. Many of its founding members are still members today. Currently, MPA has 21 member municipalities, which are primarily located in Contra Costa County, with a few outlying members in Stanislaus County and San Mateo County.

MPA was formed primarily to mitigate the rising costs of private insurance for liability and workers’ compensation. The founding members agreed to pool fiscal resources to share in the cost of administering and litigating claims. This pooling of funds is permitted under the Joint Powers Act, Government Code, Sections 6500-6536. There are over 1800 JPAs in California that provide public agencies with pooled coverage for benefits, liability, workers’ compensation, and other services. By pooling funds, MPA members share in the risk and cost of claims, thereby stabilizing the impact on individual members’ costs. The share in claims

cost is spread among the members. However, pooling is not just a means of sharing the cost of claims; MPA members receive economies of scale benefits for a variety of additional insurances that can only be accessed through membership in the pool. For example, this includes property, cyber, crime, and deadly weapons coverage for the members. MPA also provides valuable resources for training and education, as well as access to a comprehensive wellness program, ergonomics program, dental and vision plans, life insurance, and online training modules. MPA's risk mitigation support includes mandatory safety training and inspection support to ensure regulatory compliance, as well as mandatory employee certifications.

Participation in a JPA is invaluable in reducing claims exposure and cost. Due to the pooling aspect, members also receive dividends for years the reserved funds have exceeded the actual cost for that year. MPA has also been able to provide members with grants to address safety needs within their cities.

MPA has a board of directors, with each member of the pool holding a position on the Board. The Board collectively decides on how claims are administered and what is covered by the pool. Through the Coverage and Governance Committee, the Board regularly reviews the bylaws and memorandums of coverage for each program annually to determine how coverage will be provided. To be a member of MPA, each member's governing body must agree to the Joint Exercise of Powers Agreement ("JPA Agreement"), as this is the required governing document that all members' governing bodies must agree to participate in any of the programs provided by MPA. The JPA Agreement is the foundational document that outlines MPA's powers and organizational structure. The last version was adopted by the Board of Directors in 2004 and executed in 2005 by its members and has recently undergone an extensive review and revision process.

Linda Coz, MPA's Chief Administrative Officer, will attend the March 11th Council meeting to provide a brief overview of MPA and the programs and services the Town of Moraga participates in.

DISCUSSION

Appointment of Board Members

MPA requires the Council of each member agency to appoint a Board member and alternate Board member to the Board of Directors. Currently, the Town Manager serves as the primary Board Member on the MPA Board of Directors, and the Administrative Services Director serves as the alternate Board Member. The Administrative Services Director also currently serves as the elected Board Treasurer.

In practice, the Administrative Services Director attends the MPA's board meetings and acts as the primary board member for the Town of Moraga. As such, staff recommends Council adopt a resolution (Attachment A) appointing the Administrative Services Director as the MPA Board Member and appointing the Town Manager as the alternate Board Member.

JPA Update

At the February 27, 2025, meeting, as part of its review of MPA's governing documents, the MPA Coverage and Governance Committee approved recommended amendments to update

the JPA Agreement and ensure it aligns with other MPA governing documents and applicable laws. Those recommended amendments were then reviewed by the MPA Executive Committee, which approved the recommended amendments with certain revisions on March 26, 2025. The revised recommended amendments were then approved by the MPA Board of Directors on April 10, 2025.

The amendments approved by the MPA Board of Directors were then sent to each member for review and feedback. The feedback received was reviewed by MPA Staff and Legal Counsel, and additional revisions were made based on that feedback. The final recommended amendments were approved by the MPA Board of Directors on January 13, 2026, and include both substantive updates and formatting refinements to ensure clarity and consistency:

- **Section 3 (Creation of MPA):** Language revised to clarify that MPA was previously formed and is continued pursuant to current Government Code provisions (title also changed to “Amended and Restated”).
- **Section 8 (Powers of MPA):** Additional language added to address CAJPA accreditation recommendation regarding language specifying limitation of powers.
- **Section 17 (Member Responsibilities):** Minor re-wording to clarify that obligations continue beyond participation and to better define a Member’s duty to provide requested information and support investigations.
- **Section 23 (Effect of Withdrawal or Expulsion):** Clarified language confirming that withdrawal or expulsion does not relieve a Member from obligations under MPA’s governing documents.
- **General Formatting and Language Consistency:** Several non-substantive edits were made throughout the document to correct formatting issues that arose during the conversion of the original PDF into an editable format. These changes improve internal consistency and readability without altering meaning.

The Amended and Restated JPA Agreement (included as Attachment C) must now be approved by each member by resolution (Attachment B) of the member’s governing body and signed by each member’s designee.

FISCAL IMPACT

There is no direct fiscal impact associated with this item, however, if Town Council does not approve the amended and restated JPA Agreement for MPA, the Town may not be able to continue its membership of MPA and would need to find its own workers compensation and general liability insurance provider.

CEQA COMPLIANCE

Approval of the MPA Amended and Restated JPA Agreement and Appointment of Board Members is not subject to review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.), because it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the

environment.

ALTERNATIVES

1. Adopt the resolution with modifications; or
2. Do not adopt the resolution and provide additional direction to staff.

NEXT STEPS

If adopted, staff will send the adopted resolution to MPA. Once all MPA member agencies have approved the Amended and Restated JPA agreement, MPA Board of Directors will execute the Amended and Restated JPA Agreement at a future MPA Board meeting.

ATTACHMENTS

[Attachment A - Resolution Appointing MPA Board Members.docx](#)

[Attachment B - Resolution - MPA Amendment and Restated JPA Agreement.docx](#)

[Attachment C - MPA JPA Agreement Amended and Restated.docx](#)

[Attachment D - MPA JPA Agreement Amended and Restated REDLINED.pdf](#)