



CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF:

July 7, 2026

=====

To: Honorable Mayor and City Councilmembers
 From: Councilmember Zollman, CIRA Board Member
 Councilmember Hinton, CIRA Board Member Alternate
 Responsible Department: City Administration
 Subject: Letter of Support for the California Association of Joint Powers Authorities (CAJPA) and California Intergovernmental Risk Authority (CIRA) statewide coalition advocating for meaningful public agency tort reform

=====

RECOMMENDATION(s): It is recommended that the City Council:

1. Approve and authorize the Mayor to sign a Letter of Support for the California Association of Joint Powers Authorities (CAJPA) and California Intergovernmental Risk Authority (CIRA) statewide coalition advocating for meaningful tort reform; and
2. Authorize the use of the City of Sebastopol’s logo in future advocacy materials related to this coalition effort.

PROCESS OF AGENDA ITEM:

If the item remains on the Consent Calendar, no presentation is required, and the item will be approved as part of the Consent Calendar.

If the item is removed from the Consent Calendar, it will be heard as a regular agenda item and will proceed as follows:

- Presentation by staff
- Council questions and discussion
- Public comment
- Council deliberation and action

EXECUTIVE SUMMARY: California Intergovernmental Risk Authority (CIRA), of which the City of Sebastopol is a member agency, has joined the California Association of Joint Powers Authorities (CAJPA) in a statewide coalition advocating for meaningful tort reform to address the growing cost of public entity liability claims. The coalition is seeking public agency support and permission to use agency logos in advocacy materials. CIRA’s Board has identified legislative advocacy, including tort reform and workers’ compensation reform, as a key organizational priority. Staff recommends approval of the Letter of Support and logo use.

BACKGROUND: The California Intergovernmental Risk Authority (CIRA) is a Joint Powers Authority that provides risk management and liability coverage to its member agencies, including the City of Sebastopol. CIRA has partnered with the California Association of Joint Powers Authorities (CAJPA) to support a broader coalition of public entities focused on legislative reforms to control the escalating costs of liability claims, which directly impact public agency budgets and services.

DISCUSSION: At CIRA’s recent Strategic Planning Session, the Board of Directors identified legislative advocacy — including tort reform and workers’ compensation reform — as a key organizational priority. In alignment with this priority, CAJPA has joined a broad coalition of local government entities, educational organizations, and public agencies advocating for meaningful tort reform.

On May 20, 2026, the coalition submitted a formal letter to the California State Legislature (attached) urging comprehensive tort reform for civil actions against public entities. The letter highlights that:

- Public-entity liability costs have tripled in the last seven years, now exceeding \$7 billion in known exposure, and are on pace to grow another 70% by 2027–28.
- A significant driver has been AB 218 (childhood sexual assault claims), along with premises liability and dangerous condition claims.
- Plaintiffs’ attorneys commonly recover contingency fees of 40% or more, resulting in an estimated \$500+ million annually in taxpayer-funded fees going to private law firms rather than survivors or public services.
- Under current law, a public entity found only 1% at fault can be required to pay 100% of economic damages, even when the majority of fault lies with a criminal actor with no assets.

The coalition is seeking additional public agencies to join as formal supporters and to permit the use of their logos in future advocacy materials to demonstrate the widespread impact on local governments and taxpayers statewide.

As a CIRA member, the City of Sebastopol has a direct interest in controlling liability costs that ultimately affect member contributions and the City’s ability to maintain services.

STAFF ANALYSIS: Approving this request aligns with the City’s interests in managing liability risks and controlling costs. There are no identified legal or policy conflicts with providing the requested support and logo authorization.

CITY COUNCIL GOALS/PRIORITIES/ AND OR GENERAL PLAN CONSISTENCY:

This agenda item represents the City Council goals/priorities as follows:

Goal 4: HIGH PERFORMANCE ORGANIZATION

Restore public trust, improve public communications, and strengthen collaborative partnerships with outside agencies and service providers.

PUBLIC COMMENT: As of the preparation of this staff report, no public comments have been received on this item. Any comments received after distribution of the report will be provided to the City Council as supplemental materials. Public comment will also be accepted during the meeting.

COMMUNITY OUTREACH: This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

FISCAL IMPACT: None. There is no fiscal impact associated with approving the Letter of Support or authorizing use of the City logo.

RESTATED RECOMMENDATION: It is recommended that the City Council:

1. Approve and authorize the Mayor to sign a Letter of Support for the California Association of Joint Powers Authorities (CAJPA) and California Intergovernmental Risk Authority (CIRA) statewide coalition advocating for meaningful tort reform; and
2. Authorize the use of the City of Sebastopol’s logo in future advocacy materials related to this coalition effort.

CITY COUNCIL OPTIONS:

1. Deny the Request
2. Provide Direction to Staff

ATTACHMENT(S):

Letter of Support
CAJPA Letter

APPROVALS:

Department Head Approval: Approval Date:
CEQA Determination (Planning): Approval Date: NA

The proposed action is not a project under the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15378, the recommended action is not a “project” subject to the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In the alternative, the recommended action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the recommended action may have a significant effect on the environment.

General Plan Goal (Planning): Approval Date:
Administrative Services (Financial) Approval Date:
Costs authorized in City Approved Budget: Yes No N/A
Account Code (f applicable) _____

City Attorney Approval: Approval Date:

City Manager Approval: Approval Date:

City Council

Mayor Jill McLewis

Vice Mayor Sandra Maurer

Councilmember Phill Carter

Councilmember Neysa Hinton

Councilmember Stephen Zollman



Agenda Item Number 5

City Manager

Mary Gourley

mgourley@Cityofsebastopol.gov

City of Sebastopol

July 8, 2026

TO:

California Association of Joint Powers Authorities (CAJPA)

California Intergovernmental Risk Authority (CIRA) Tort Reform Coalition

Re: Letter of Support for Meaningful Tort Reform for California Public Entities

Dear CAJPA and CIRA Coalition Partners:

On behalf of the City of Sebastopol, I am pleased to express our support for the statewide coalition advocating for meaningful tort reform in civil actions against public entities.

The City of Sebastopol, as a member agency of the California Intergovernmental Risk Authority (CIRA), recognizes the significant and growing impact that rising liability costs are having on public agencies across California. Recent data confirms that public-entity liability costs have tripled in the last seven years and now exceed \$7 billion in known exposure, with costs projected to grow another 70 percent by 2027–28. These escalating costs divert critical taxpayer resources away from essential public services such as public safety, infrastructure, education, and community programs.

The City supports a balanced approach to tort reform that:

- Provides reasonable caps on damages in civil actions against public entities;
- Restores proportional (several) liability so that public agencies are responsible only for the share of harm attributable to their own conduct; and
- Establishes appropriate evidentiary standards for claims involving decades-old conduct where records and witnesses are no longer available.

We believe these reforms are necessary to preserve the financial sustainability of local governments while still ensuring that survivors of harm receive justice and meaningful compensation.

The City of Sebastopol hereby authorizes the use of its official logo in coalition advocacy materials and future communications related to this important effort.

Thank you for your leadership on this critical issue. The City of Sebastopol stands with our fellow public agencies in support of responsible tort reform that protects both taxpayers and the essential services Californians rely upon.

Sincerely,

Jill McLewis

Mayor City of Sebastopol



association of california school administrators



LEAGUE OF CALIFORNIA CITIES



CASBO
Smart business. Smart schools.™

Agenda Item Number 5
csba
California School Boards Association



LAUSD
UNIFIED



CAJPA
California Association of Joint Powers Authorities



Date: May 20, 2026

To: Members, California State Legislature

From: Association of California School Administrators; California Association of School Business Officials; California Association of Joint Powers Authorities; California Latino School Boards Association; California School Boards Association; League of California Cities; League of United Latin American Citizens; Los Angeles Unified School District; Rural County Representatives of California; Schools Excess Liability Fund

Re: Urgent Need for Comprehensive Tort Reform to Protect California Taxpayers, Survivors, and Essential Public Services

On behalf of the undersigned organizations, we urge the Legislature to enact meaningful tort reform for civil actions against public entities. New data released by the California Association of Joint Powers Authorities (CAJPA) confirms what our members have been warning lawmakers about for years: **public-entity liability costs have tripled in the last seven years, now exceeding \$7 billion in known exposure. Costs are on pace to grow another 70 percent by 2027–28.** The fiscal trajectory is unsustainable, the structure of liability is fundamentally unfair to taxpayers, and the consequences are now measured in billions of dollars diverted away from classrooms, fire stations, roads, mental health services, and the essential programs Californians depend on every day.

Our organizations share a deep and unwavering commitment to ensuring that survivors of harm receive justice, support, and meaningful compensation. California’s public agencies are not asking for insulation from accountability. We do not seek to deny survivors their day in court. Instead, we seek to fix a system that, as currently structured, transfers enormous wealth to plaintiffs’ law firms and threatens the financial solvency of the very public agencies tasked with protecting and serving our vulnerable community members. The longer the Legislature waits, the more public services will be cut, the more agencies will face insolvency.

The Path Forward. We urge the Legislature to advance a comprehensive tort reform package for civil actions against public entities that, at minimum, includes the following:

- **Defined benefits** including caps on damages in civil actions against public entities, ensuring survivors and other injured parties are made whole while preserving the capacity to deliver essential public services.
- **Proportional (several) liability for economic damages** in civil actions against public entities, so that taxpayers pay only for the share of harm actually attributable to the public agency. This way the perpetrators bear the cost of their own conduct and not taxpayers.
- **Heightened evidentiary and procedural standards** for claims where witnesses, records, and evidence archives are absent or insufficient to assign culpability.

Why are Billions of Taxpayer Dollars Being Diverted from Essential Services? AB 218 (Gonzalez, Chapter 861, Statutes of 2019) related to childhood sexual assault is one stark driver, but it is not the only one. Across the spectrum of civil litigation against public entities — from premises liability to dangerous conditions — plaintiffs' firms are increasingly targeting governmental defendants precisely because they are perceived as having the deepest pockets. The result is an unreasonable transfer of public resources to private wealth that the Legislature has both the power and the responsibility to address.

How Are Claims Against Public Entities Funded? Most cities, counties, special districts, and school districts in California do not purchase liability coverage from traditional commercial insurance carriers because it is either too expensive, does not provide sufficient coverage, or is simply not offered. Instead, they self-fund their liability coverage or they collectively pool risk through Joint Powers Authorities (JPAs), which are *not* insurance companies with large capital reserves. Every self-funded claim, including those paid out of a JPA, comes from taxpayer-funded member contributions paid by cities, counties, schools, and other public agencies from the same general fund dollars that pay for police officers, firefighters, teachers, road crews, and homelessness response.

When a JPA pays out claims of magnitude, every member agency in that pool feels it through higher premiums, the potential need for special assessments, reduced coverage limits, and/or increasingly, the inability to obtain coverage at all. Public agencies that have never had a single AB 218 claim filed against them are facing double-digit premium increases. For schools, this means Proposition 98 education dollars intended to support today's students are paying for decades-old liabilities. Even for cities and counties that have few claims filed against them it means delaying critical infrastructure maintenance and reducing local government's ability to provide social-safety-net services to the most vulnerable Californians.

Plaintiffs' Attorneys Are on Track to Profit Over Half a Billion Taxpayer Dollars Every Year. In civil actions against public entities, plaintiffs' counsel commonly recover contingency fees of 40 percent or more of the gross judgment or settlement. Even using a conservative 30 percent contingency assumption, **estimated plaintiff attorney fees in actions against California public entities have climbed to over \$500 million annually.** In many individual cases, **attorney fees approach 50 percent of the taxpayer-funded settlement or award.** That means that for every \$10 million paid by a city, county, JPA, or school district, as much as \$4 to \$5 million is paid to a private law firm. It does not go to the survivor, nor does it go to mental health services, prevention or victim assistance, or back to the taxpayers who funded the payment. Plaintiffs' firms are, in many cases, the single largest beneficiaries of the current system.

Caps on Damages Are Essential to Preserve Public Services and Solvency. Support for meaningful tort reform must include caps on damages in actions against public entities. Without such caps, the cascading effects of recent legislation will only worsen, and the very real threat of insolvency among California's public agencies, already materializing in some regions, will only accelerate. California already imposes reasonable limits in medical malpractice cases under MICRA, recognizing the public interest in such restrictions. The same principle should apply when taxpayer dollars are the source of the payment.

Public Entities Should Pay in Proportion to Their Actual Fault — Not for the Crimes of Others. Under California's current liability structure, a public entity found just **one percent at fault** can be ordered to pay the entirety of a plaintiff's economic damages — even when the overwhelming majority of fault lies with a criminal actor who has no assets to satisfy a judgment.

The result is morally indefensible: perpetrators escape financial accountability for their conduct, while taxpayers — through their cities, counties, transit agencies, and school districts — are forced to pay for

the harm that resulted. It allows perpetrators to walk away while public services are gutted to satisfy awards for conduct the public entity did not commit. The **Legislature must restore proportional (several) liability for economic damages in actions against public entities, so that they are responsible only for the share of harm attributable to the public agency's own conduct.**

Survivors Deserve Their Day in Court, and Public Entities Deserve a Meaningful Opportunity to Defend. Restoring balance to AB 218 claims involving decades-old conduct does not require closing the courthouse door to survivors. Rather, it requires recognizing that, after decades have passed, the records and witnesses needed to fairly adjudicate a claim are often incomplete or simply gone. For claims involving conduct that occurred decades ago, we urge the Legislature to restore balance by reinstating a prior-knowledge requirement, paired with a clear-and-convincing-evidence standard. Prior to AB 218, California law permitted survivors to bring claims against public entities outside the statute of limitations, when a plaintiff could show the entity "knew or had reason to know, or was otherwise on notice, of any unlawful sexual conduct" by the perpetrator and failed to implement reasonable safeguards. That framework provided a meaningful path to justice for survivors with evidence of institutional culpability while also protecting taxpayers from liability for conduct the public entity had no realistic means to anticipate, prevent, or now defend against.

Our coalition stands ready to work with the Legislature, the Administration, and the survivor community to craft a balanced, durable solution so that necessary action can be taken now. Detailed findings and supporting data are available in CAJPA's recent report, [Protecting Public Funds: The Rising Cost of Claims Against California Public Entities](#). Please do not hesitate to contact us with questions or to discuss specific legislative vehicles.

Sincerely,



Faith Borges
Legislative Advocate
California Association of Joint Powers Authorities



Dorothy Johnson
Legislative Advocate
Association of California School Administrators



Sara Pietrowski
Chief Governmental Relations Officer
CA Association of School Business Officials



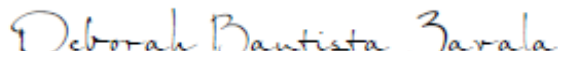
Leilani Aguinaldo
Legislative Advocate
Schools Excess Liability Fund (SELF)



Chris Reeve
Legislative Director
CA School Boards Association



Martha Alvarez
Chief of Legislative Affairs and Government Relations
Los Angeles Unified School District



Deborah Bautista Zavala
Interim Executive Director
California Latino School Boards Association



Sarah Dukett
Senior Policy Advocate
Rural County Representatives of California (RCRC)



Jacob Sandoval
State Director, California LULAC
Board Member, National LULAC



Johnnie Pina
Legislative Advocate
League of California Cities

cc: Office of California State Governor Gavin Newsom