RESOLUTION NO. 93-123

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY TERMINATING THAT CERTAIN LIABILITY RISK COVERAGE AGREEMENT DATED AS OF JUNE 1, 1987 AND EXTENDING COVERAGE AS PROVIDED HEREIN.

WHEREAS, the Board of Supervisors (the "Board") of the County of Mariposa (the "County") pursuant to Resolution No. 87-70, adopted on February 24, 1987, (the "Resolution"), authorized the execution of a Liability Risk Coverage Agreement dated as of June 1, 1987 as amended as of July 1, 1988 (the "1987 Liability Agreement") by and among the CSAC Excess Insurance Authority (the "Authority"), the County and certain counties within the State of California named therein (collectively the "Counties"), which 1987 Liability Agreement established a pooled self-insurance program (the "Insurance Program"); and

WHEREAS, the Resolution authorized the execution of a Trust Agreement dated as of June 1, 1987 (the "Trust Agreement") by and among the Authority, the Counties and Seattle-First National Bank, as trustee, which Trust Agreement provided for the execution and delivery of $34,020,000 CSAC Excess Insurance Authority Certificates of Participation (Liability Insurance Program) (the "Certificates"); and

WHEREAS, on March 31, 1992 the Board of the Authority fully paid and defeased the outstanding Certificates (as defined in the Trust Agreement) and discharged the Trust Agreement, as provided therein; and

WHEREAS, Section 4.1 of the 1987 Liability Agreement provides that upon the discharge of the Trust Agreement, the
coverage (as defined in the 1987 Liability Agreement) (the "Coverage") provided by the Insurance Program terminates unless the Board of the Authority elects to continue such program; and

WHEREAS, Resolution No. 92-002 adopted by the Governing Board of the Authority on March 6, 1992 continued the Coverage provided by the 1987 Liability Agreement; and

WHEREAS, the Board of the Authority and the Counties have determined that it is desirable to terminate the 1987 Liability Agreement and to continue the Coverage upon the terms set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA AS FOLLOWS:

Section 1. All of the recitals hereto are true and correct.

Section 2. The Board hereby approves the Authority's Joint Powers Agreement (the "JPA") as amended, which is attached hereto as Exhibit A and is incorporated as if fully set forth herein, and hereby instructs the chairman to sign the JPA on behalf of the County.

Section 3. The Board hereby approves the termination of the coverage provided by the 1987 Liability Agreement for all occurrences on or after March 1, 1993, provided however, that coverage under said agreement shall continue to be provided, pursuant to its terms, for all occurrences prior to March 1, 1993, and that all rights and obligations of the parties thereto concerning claims, settlements, and risk premium adjustments (as defined in the 1987 Liability Agreement) shall continue.
Section 4. The Board hereby acknowledges that effective March 1, 1993, excess liability coverage will be provided by the Memorandum of Liability Coverage attached hereto as Exhibit B and incorporated by reference as if fully set forth herein. The Board further acknowledges that said Memorandum of Liability Coverage may be amended from time to time by an affirmative vote of the majority of the Board of the Authority representing the Counties participating in the Insurance Program.

Section 5. The Board hereby acknowledges receipt of the Authority’s Liability Claims Quality Control Guidelines attached hereto as Exhibit C and incorporated by reference as if fully set forth herein, and hereby instructs the County’s Risk Manager and Claims Administrator to implement said Guidelines. The Board further acknowledges that said Liability Claims Quality Control Guidelines may be amended from time to time by an affirmative vote of the majority of the Board of the Authority representing the Counties participating in the Insurance Program.

Section 6. The Board hereby acknowledges receipt of the Basic Methodology for Calculation of Annual Risk Premium, Risk Premium Proportion and Risk Premium Adjustments attached hereto as Exhibit D and incorporated by reference as if fully set forth herein. The Board further acknowledges that said Basic Methodology for Calculation of Annual Risk Premium, Risk Premium Proportion and Risk Premium Adjustments may be amended from time to time by an affirmative vote of the majority of the Board of the Authority representing the Counties participating in the Insurance Program.
Section 7. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 23rd day of February, 1993 by the following vote, to wit:

AYES: BAGGETT, BALMAIN, ERICKSON, PARKER, TABER

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

/ERIC J. ERICKSON
Chairman of the Board of Supervisors of the County of Mariposa

ATTEST:

/MARGIE WILLIAMS
Clerk of the Board of Supervisors of the County of Mariposa

agreements