

BOARD OF SUPERVISORS, COUNTY OF LAKE
STATE OF CALIFORNIA
RESOLUTION NO. 80-191

Lake

1 WHEREAS, The Board of Supervisors realizes that the loss exposure
2 of the County of Lake is growing because of increased popu-
3 lation and expanding County program; and
4 WHEREAS, The potential loss to the County of Lake both finan-
5 cially and in terms of human injuries and lives has increased
6 greatly in the past years; and
7 WHEREAS, The Board of Supervisors has determined that a Risk
8 Management Program is necessary to protect the resources of
9 The County of Lake from accidental loss; and
10 WHEREAS, The Board of Supervisors wishes to establish the goals
11 and directions of the County Risk Management Program; and
12 WHEREAS, The Board of Supervisors wishes to emphasize the
13 importance of loss reduction and prevention; and
14 WHEREAS, It is the desire of the Board of Supervisors that the
15 Risk Management activities of the various departments be
16 coordinated to assure uniformity in the County Risk Manage-
17 ment program; and
18 WHEREAS, The Board of Supervisors wishes to define the authority
19 and responsibilities of the County Administrative Coordinator
20 and Department Heads for the purpose of implementing a Risk
21 Management Program.
22 NOW, THEREFORE, BE IT RESOLVED, ORDERED AND HEREBY DECLARED, that,
23 the Board of Supervisors of the County of Lake, in order to
24 protect the County from catastrophic loss and to minimize the
25 total cost of accidental loss to the County, hereby adopts
26 the attached Risk Management Policy and appoints the Admin-
27 istrative Coordinator as County Risk Manager to take
28 necessary action in implementing said policy.

1 The Clerk to the Board is hereby directed to provide copies of
2 this Resolution to:

3 A. All Department Heads

4 B. C.S.A.C. Excess Insurance Authority

5 THIS RESOLUTION was passed by the Board of Supervisors of the
6 County of Lake at a regular meeting thereof, held on,
7 25th day of July, 1980, by the following vote.

8 AYES: Supervisors Whalen, W. Wilcox, Waterman, Mostin, and D. Wilcox

9 NOES: None

10 ABSENT OR NOT VOTING: None

11 COUNTY OF LAKE

12
13 Doris W. Wilcox
14 DORIS W. WILCOX, CHAIRMAN
Board of Supervisors

15 ATTEST: LOIS R. HESTERBERG
County Clerk

16
17 By: James W. Clark
18 Deputy

19 APPROVED AS TO FORM: CHARLES D. HAUGHTON
20 County Counsel

21 Charles D. Haughton

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MODIFICATION NO. 1
OF
JOINT POWERS AGREEMENT
CREATING THE CSAC EXCESS INSURANCE AUTHORITY
Which became effective October 5, 1979

Pursuant to Article 26 of the Agreement, the following amendments of the Agreement shall become effective when this Modification is executed and returned to the Authority by at least two-thirds of the member counties of the Authority, acting through their respective boards of supervisors. The Authority shall promptly notify all member counties in writing of such effective date.

AMENDMENT NO. 1

- A. In Article 1, Definitions, the definition of "Member county" is amended to read:

"Member county" shall mean any county which, through the membership of its supervisors in CSAC, has executed this Agreement and become a member of the Authority. "Member county" shall include any dependent district or other local entity within such county which is included under this Agreement pursuant to Article 3 (b).

- B. In Article 3, Parties to Agreement, Section (b) is amended to read:

(b) A member county may contract on behalf of, and shall be deemed to include:

(1) Any dependent district, from the time that the county provides the Authority written notice of the name and inclusion of such district.

(2) Any other local entity which receives insurance coverage from the member county, at the request of the county to the Board of Directors and from the time that such entity is accepted into the Authority by the Board.

Such district or other local entity shall not be considered a separate party to this Agreement, shall not affect the member county's representation on the Board of Directors, and shall be part of and represented by the member county for all purposes under this Agreement.

AMENDMENT NO. 2

- A. In Article 8, Powers of the Board of Directors, Section (b) is amended to read:

(b) The Board shall form an Executive Committee from its

membership, as provided in Article 11, and may delegate to that Committee such powers as it sees fit, provided that all powers of the Executive Committee shall be exercised under the direction of the Board.

- B. In Article 11, Executive Committee, the third paragraph is amended to read:

The Executive Committee shall conduct the business of the Authority between meetings of the Board, exercising such powers as are delegated to it by the Board, under the direction of the Board.

AMENDMENT NO. 3

- A. In Article 13, Staff, Section (a) (2) is amended to read:

(2) Treasurer. The duties of the Treasurer are set forth in Articles 15 and 16 of this Agreement. Pursuant to Government Code Section 6505.5, the Treasurer shall be the county treasurer of a member county of the Authority.

- B. In Article 13, Staff, Section (a) (3) is amended to read:

(3) Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 15 (d). Pursuant to Government Code Section 6505.5, the Auditor shall be the auditor of the county from which the Treasurer is appointed by the Board under (2) above.

- C. In Article 13, Staff, Section (b) is amended to read:

(b) Charges for Treasurer and Auditor Services. Pursuant to Government Code Section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the board of supervisors of the member county from which such staff members are appointed.

AMENDMENT NO. 4

In Article 14, Development, Funding and Implementation of Excess Insurance Programs, the third paragraph of Section (b) (1) is amended to read:

Upon the conclusion of program development: any deficiency in development funds shall be billed to all counties which have paid the development charge, on a pro-rata or other equitable basis, as determined by the Board; and any surplus in such funds

shall be transferred into the loss reserve funds for the program, or, if the program is not implemented, into the Authority's general expense funds.

AMENDMENT NO. 5

- A. In Article 14, Development, Funding and Implementation of Excess Insurance Programs, the second paragraph of Section (b) (2) is amended to read:

Annual premiums shall be billed by the Authority at the beginning of each policy year and shall be payable within thirty (30) days of the billing date. At the end of each policy year, program costs shall be audited by the Authority. Any deficiency or surplus in the premium paid by a participating county, as shown by such audit, shall be adjusted by a corresponding increase or decrease in the premium charge to that county for the next succeeding year, unless the county withdraws or is cancelled from the program, in which case the provisions of Article 22 shall control.

- B. In Article 22, Effect of Withdrawal or Cancellation, Section (c) is amended to read:

(c) Notwithstanding withdrawal or cancellation from any excess insurance program of the Authority, a county shall pay any premium charges which the Board of Directors determines are due from the county for losses and costs during the period in which the county was a participant in such program. Such charges may include any deficiency in a premium previously paid by the county, as determined by audit under Article 14 (b) (2); any premium surcharge assessed to the county under Article 14 (b) (3); and any additional amount of premium which the Board determines to be due from the county upon final disposition of all claims arising from losses under the program during the county's period of participation. Any such premium charges shall be payable by the county within thirty (30) days of billing by the Authority.

AMENDMENT NO. 6

In Article 14, Development, Funding and Implementation of Excess Insurance Programs, Section (d) is amended to read:

(d) Late Entry Into Program. A member county which does not elect to enter an excess insurance program upon its implementation, pursuant to (c) above, or a county which becomes a party to this Agreement following implementation of the program, may petition the Board of Directors for late entry into the program. Such request may be granted upon a vote of two-thirds of all members

present and voting, plus a vote of two-thirds of those members present and voting who represent counties participating in the program.

As a condition of late entry, the county shall pay the development charge for the program, as adjusted at the conclusion of the development period, but not subject to further adjustment, and also any costs incurred by the Authority in analyzing the county's loss data and determining its annual premium as of the time of entry.

AMENDMENT NO. 7

In Article 16, Responsibilities for Funds and Property, Section (b) (1) is amended to read:

(b) Pursuant to Government Code Section 6505.5, the Treasurer shall:

(1) Receive and acknowledge receipt for all funds of the Authority and place them in the treasury of the Treasurer to the credit of the Authority.

AMENDMENT NO. 8

A. In Article 23, Termination and Distribution of Assets, Section (b) is amended to read:

(b) Upon termination of this Agreement, all assets of the Authority in each excess insurance program shall be distributed among those counties which participated in that program in proportion to their cash contributions, including premiums paid and property contributed (at market value when contributed). The Board of Directors shall determine such distribution within six months after disposal of the last pending claim or other liability covered by the program.

B. In Article 23, Termination and Distribution of Assets, Section (d) is amended to read:

(c) Following termination of this Agreement, any county which was a participant in an excess insurance program of the Authority shall pay any additional amount of premium, determined by the Board of Directors in accordance with a loss allocation formula, which may be necessary to enable final disposition of all claims arising from losses under that program during the county's period of participation.

Except as amended herein, all provisions of the Agreement remain in full force and effect.

Executed by the undersigned party to the Agreement on the date indicated below.

Date April 22, 1980

County of Lake

By: Doris W. Wilcox
DORIS W. WILCOX

M I N U T E O R D E R

LAKE COUNTY BOARD OF SUPERVISORS

MEETING OF April 22, 1980

- #6. On motion of Supervisor W. Wilcox and vote of the Board (4 ayes, Supervisor Whalen, absent) approved Amendments 1-8, CSAC, Excess Insurance Authority, as recommended, and authorized chairman to sign.

The within instrument is a correct copy
of the original on file in this office.

ATTEST: APR 24 1980

LOIS R. HESTERBERG

County Clerk and ex-officio Clerk of the
Board of Supervisors of the State of
California in and for the County of Lake.

By: Melvin E. Reid
Deputy Clerk