

RESOLUTION NO. 2018-4

**A RESOLUTION OF THE SCOTIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS APPROVING THE FORM OF AND AUTHORIZING THE
EXECUTION OF A SIXTH AMENDED AND RESTATED JOINT POWERS
AGREEMENT AND AUTHORIZING PARTICIPATION IN THE SPECIAL DISTRICT
RISK MANAGEMENT AUTHORITY WORKERS' COMPENSATION PROGRAM**

WHEREAS, Scotia Community Services District, a special district duly organized and existing under and by virtue of the laws of the State of California (the "Agency"), has determined that it is in the best interest and to the advantage of the Agency to participate for at least three full years in the workers' compensation program offered by the Special District Risk Management Authority (the "Authority"); and

WHEREAS, California Government Code Section 6500 et seq., provides that two or more public agencies may by agreement jointly exercise any power common to the contracting parties; and

WHEREAS, Special District Risk Management Authority was formed in 1986 in accordance with the provisions of California Government Code 6500 et seq., for the purpose of providing its members with risk financing and risk management programs; and

WHEREAS, California Government Code Section 990.4 provides that a local public entity may self-insure, purchase insurance through an authorized carrier, or purchase insurance through a surplus lines broker, or any combination of these; and

WHEREAS, participation in Special District Risk Management Authority programs requires the Agency to execute and enter into a Sixth Amended and Restated Joint Powers Agreement (the "Amended and Restated JPA Agreement"); which states the purpose and powers of the Authority; and

WHEREAS, all acts, conditions and things required by the laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the transactions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the Agency is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such transactions for the purpose, in the manner and upon the terms herein provided.

NOW, THEREFORE, the Scotia Community Services District Board of Directors does hereby resolve as follows:

Section 1 Findings: The Scotia Community Services District Board of Directors hereby specifically finds and determines that the actions authorized hereby relate to the public affairs of the Scotia Community Services District.

Section 2. Sixth Amended and Restated JPA Agreement: The Amended and Restated JPA Agreement, proposed to be executed and entered into by and between the Agency and members of the Special District Risk Management Authority, in the form presented at this meeting and on file with the Agency General Manager, is hereby approved. The Agency Board and/or General Manager are hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver to the Authority the Amended and Restated JPA Agreement in substantially said form, with such changes therein as such officers may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3 Program Participation.: The Agency Board of Directors approves participating for three full program years in Special District Risk Management Authority Workers' Compensation Program.

Section 4 Other Actions: The Authorized Officers of the Agency are each hereby authorized and directed to execute and deliver any and all documents which is necessary in order to consummate the transactions authorized hereby and all such actions heretofore taken by such officers are hereby ratified, confirmed and approved.

Section 5 Effective Date: This Resolution shall become effective upon adoption

PASSED, APPROVED AND ADOPTED on the 19th day of April 2018



Rick Walsh, Board President, Scotia CSD

ATTEST:



Julie Thomas
Board Clerk, Scotia CSD

Board Clerk, Scotia CSD

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2018-4, passed and adopted at a regular meeting of the Scotia Community Service District Board of Directors, County of Humboldt, State of California, held on the 19th day of April 2018, by the following vote:

AYES: Bristol, Newmaker, Pitcairn, Pryor, Walsh

NOES: ∅

ABSENT: ∅

ABSTENTIONS: ∅


Board Clerk, Scotia CSD

