

RESOLUTION NO. 20-016

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE,
COUNTY OF MONTEREY CALIFORNIA, APPROVING EXECUTION OF THE JOINT
POWERS AGREEMENT CREATING THE CALIFORNIA JOINT POWERS
INSURANCE AUTHORITY**

FINDINGS

1. Pursuant to the provisions of Sections 990, 990.4, 990.8 and 6500 of the California Government Code, the California Joint Powers Insurance Authority ("California JPIA") has been created by a Joint Powers Agreement; and
2. Joint Protection Programs have been developed by the California JPIA pursuant to the provisions of said Agreement; and
3. Article 22 of said Agreement provides for additional members to become parties to the Joint Powers Agreement creating the California JPIA and enter one or more Joint Protection Programs providing self-insurance and loss pooling; and
4. The self-insurance and loss pooling programs of the California JPIA, as well as its group insurance coverage programs, offer significant advantages to the CITY OF PACIFIC GROVE in terms of cost, protection, risk management and loss control advice and assistance, and entering such programs would be in the best interest of the CITY OF PACIFIC GROVE.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF PACIFIC GROVE:**

1. That the City Council of the City of Pacific Grove is hereby authorized and directed to execute the Joint Powers Agreement on behalf of the City of Pacific Grove binding the Member to the terms and conditions of said Agreement. The City of Pacific Grove understands and agrees that, by executing the Agreement, it will be bound by the terms of the Joint Powers Agreement, specifically Article 21, "Responsibilities of Members," including the obligation to make deposits and deposit adjustments for joint protection programs it joins.
2. That the City of Pacific Grove hereby joins the California JPIA, for a period of not less than three (3) years.
3. That the City of Pacific Grove acknowledges and agrees to the provisions of Article 24 of the Agreement, which provides:

- (a) A Member that enters into this Agreement may not withdraw as a party to this Agreement and as a Member of the Authority for a three-year period commencing on the effective date of its membership.
- (b) A Member that enters into a joint protection program may not withdraw as a participant in that program for a three-year period commencing on the effective date of its participation in the joint protection program.
- (c) After the initial three-year non-cancellable commitment to membership in the Authority or participation in a joint protection program, a Member may withdraw only at the end of any protection period, provided it has given the Authority a twelve-month written notice of its intent to withdraw from this Agreement and/or any joint protection programs in which it participates.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 20th day of May, 2020, by the following vote:

AYES: Mayor Peake, Councilmembers Amelio, Garfield, McAdams, and Tomlinson.

NOES: None.

ABSENT: Councilmember Smith.

APPROVED:

DocuSigned by:
Bill Peake
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BILL PEAKE, Mayor

ATTEST: **5/21/2020**
DATED: _____

DocuSigned by:
Sandra Kandell
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SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
David C. Laredo
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DAVID C. LAREDO, City Attorney