

## **RESOLUTION NO. 2018-04**

### **A RESOLUTION OF THE CALIFORNIA STORMWATER AUTHORITY APPLICATION FOR BOARD INSURANCE**

**WHEREAS**, the California Stormwater Authority (“Authority”) was formed through the execution of a Joint Powers Agreement, effective June 1, 2018 on behalf of the signatory agencies the Fresno Metropolitan Flood Control District, the Alameda County Flood Control & Water Conservation District, and the State Water Resources Control Board; and

**WHEREAS**, the California Stormwater Authority is a public agency as defined in California Government Code section 6500; and

**WHEREAS**, all public agencies with a Board of Directors require some type of insurance to indemnify the Board, including their officers and employees, from any claim or liability arising from acts or omissions; and

**WHEREAS**, per Section 14 (c) and (d) of the June 1, 2018 Joint Powers Agreement for the California Stormwater Authority: *“The Authority shall hold harmless and indemnify Parties, and each of them, including their officers and employees, from any claim or liability arising from acts or omissions of the Authority in pursuit of this Agreement, and in so doing, shall provide Parties, and each of them, with legal defense of any and all claims or liabilities and shall pay reasonable attorney’s fees and costs incurred in providing such defense. Funds of the Authority may be used to defend, indemnify, and hold harmless the Authority, each Party, and any officers, agents, and employees for their actions taken within the scope of their duties while acting on behalf of the Authority; and*

**WHEREAS**, the California Stormwater Authority desires to obtain insurance that complies with the June 1, 2018 Joint Powers Agreement.

**NOW, THEREFORE**, the California Stormwater Authority does hereby resolve, find, determine and order as follows:

Its Executive Director complete and file an application with California Special Districts Association, for Board insurance on behalf of the California Stormwater Authority, and proceed with said application, payment, associated membership dues, and submittal of necessary subsequent responses and required data and information.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of December 2018.

**WITNESSED**

  
\_\_\_\_\_  
Gerhardt Hubner  
Executive Director

**APPROVED AS TO FORM**

BY: Gilbert Trujillo, Attorney for California Stormwater Authority

  
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**Directors voting:**

Yes: Hofmann, Mogus, Gosselin

No: None

Abstain: None