MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION NO. 2023-02

RESOLUTION OF THE MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY CONSENTING TO ENTER THE JOINT PROTECTION PROGRAMS OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY

WHEREAS, the Sustainable Groundwater Management Act (SGMA) was signed into law on September 16, 2014 and adopted as California Water Code, section 10720, *et seq.*; and

WHEREAS, the Merced Subbasin Groundwater Sustainability Agency (GSA) was formed as a joint powers authority pursuant to Government Code section 6500, *et seq.*, by agencies that qualify to be groundwater sustainability agencies; and

WHEREAS, pursuant to the provisions of Section 990, 990.4, 990.8, and 6500 of the Government Code, this District wishes to enter into an agreement with various other districts entitled "Joint Powers Agreement: Creating the Association of California Water Agencies/Joint Powers Insurance Authority" (the Authority), for the purpose of participating in the Joint Powers Insurance Authority created thereby, which since its formation has provided for and administered joint protection programs as more fully set forth in said agreement; and

WHEREAS, said joint protection programs offer significant advantages to this District in terms of cost, liability protection, property protection, workers' compensation protection, and services, and entering such programs, on the conditions hereinafter set forth, appears to be in the best interest of the District.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Merced Subbasin GSA

Section 1. That the Merced Subbasin GSA hereby consents pursuant to the above-mentioned Joint Powers Agreement, and the resolutions and policies enacted in implementation of such Agreement, to enter said joint protection programs.

Section 2. That the District hereby elects to join the **Liability Program** sponsored by the Authority.

Section 3. That the District hereby selects $2,500 as its Retrospective Allocation Point (RAP) for the first partial year of participation under the Authority's cost allocation formula for liability exclusive of Dam Failure Liability.

Section 4. That the Treasurer of this District is hereby authorized to pay to the ACWA/Joint Powers Insurance Authority its first deposit premium.

Section 5. That the Secretary of the Board of Directors of this District is directed to certify a copy of this resolution and to forward the same resolution and the signed Joint Powers Agreement promptly by mail to the Association of California Water Agencies/Joint Powers Insurance Authority, P.O. Box 619082, Roseville, California, 95661, at which time coverage will commence the 27th day of March, 2023.

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PASSED AND ADOPTED at a special meeting of the Governing Board at Merced, California, this 27th day of March 2023, by the following vote:

AYES: Gallo, Giampaoli, Marchini, Pareira, Pedretti, Swenson

NOES: None

ABSTAINING: None

ABSENT: None

MERCED SUBBASIN GROUNDWATER
SUSTAINABILITY AGENCY

By: _____
Lloyd Pareira, Jr.
Chair

ATTEST:

_____
Mark Hendrickson
Secretary