



Lake Shastina Community Services District

RESOLUTION 13-89

RESOLUTION APPROVING SDIA PROPOSED CORRECTION OF AMENDMENT NO. 2 TO THE FIRST AMENDED JOINT AMENDED JOINT POWERS AGREEMENT

RESOLVED, that the Board of Directors of the Lake Shastina Community Services District, on this 14th day of November, 1989, approves the Corrected Amendment No. 2 - Commitment - to the First Amended Joint Powers Agreement of the Special District Insurance Authority. (See Exhibit "A")

* * * * *

Adopted by the following vote:

AYES: Spahr, Trager, Wallace and Applegate

NOES: None

ABSENT: Johns

ABSTAIN: None

J. Richard Spahr

J. RICHARD SPAHR, President

ATTEST:

Mary M. Krolak

MARY M. KROLAK, District Secretary

CORRECTION OF AMENDMENT NO. 2
 FIRST AMENDED JOINT POWERS AGREEMENT
 November 8, 1989

* * * * *

The following wording is to be substituted for Paragraph (9) of the First Amended Joint Powers Agreement, upon ratification by two-thirds of the members of the Special District Insurance Authority as of October 10, 1989:

* * * * *

(9) Withdrawal or Involuntary Termination: Any participating member district may voluntarily withdraw from any particular joint protection program at the end of any coverage year of participation, if the following conditions are met:

(a) the member district has given not less than ninety (90) days' advance written notice of withdrawal, prior to the end of the coverage year, to the Board of Directors of the Authority; and

(b) The member either was a member of the Authority on the effective date of this provision, (the effective date is the date on which the 78th district has approved the amendment, and will be entered herein, when known), or

(c) The member, if it became a member on or after the effective date of this provision, shall have participated in the Package Program for not less than three full program years as of the date of the proposed withdrawal.

In the event said notice is not provided, and/or the three-year participation has not been met, any such participating member district shall be obligated to pay any and all contributions, premiums and assessments for the next full coverage year, and for any portion of the three full years for which the district has not already paid.

A district may be involuntarily terminated as provided in the Bylaws.

* * * * *

EXECUTION BY DISTRICT

The Second Amended Joint Powers Agreement of the Special District Risk Management Authority, including Amendment No. 1 and Corrected Amendment No. 2 to the First Amended Joint Powers Authority, have been approved by the Board of Directors of the District listed below, on the date shown, and said District agrees to be subject to all of the terms and conditions set forth in said Agreement.

Date: November 14, 1989

LAKE SHASTINA COMMUNITY SERVICES

_____ District

By J. Richard SpaHR President
J. RICHARD SPAHR

By Mary M. Krolak Clerk
MARY M. KROLAK

EXECUTION BY AUTHORITY

The Special District Risk Management Authority (SDRMA), the joint powers authority created by the foregoing Second Amended Joint Powers Agreement, hereby executes this Agreement and accepts the district named above as a participating member district in SDRMA, subject to all of the terms and conditions set forth in the Second Amended Joint Powers Agreement and in the Bylaws, effective on _____.

SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

By _____ President

Date: _____



SDIA

SPECIAL DISTRICT INSURANCE AUTHORITY

2400 Venture Oaks Way
Suite 460
Sacramento, CA 95833-3291

November 8, 1989

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Administrator

Richard K. Maddalena

Risk Manager

Robin K. Lantz

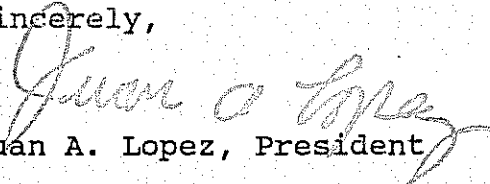
TO: Member districts
FROM: The Board of Directors & Staff
RE: Amendment No. 2 - First Amended JPA

We regret to advise that it is necessary for us to submit to you a CORRECTED version of Proposed Amendment No. 2, having to do with Commitment. Though each member of the Board and Staff reviewed the original Proposed Amendment wording, and the same was also reviewed by Counsel, counsel for one of our member-districts pointed out that the provision was ambiguously worded, and could have been construed to mean that only districts that joined after the effective date of the Amendment could withdraw. That was certainly not the Board's intent.

Accordingly, the entire Paragraph (9) of the First Amended Joint Powers Agreement has been reworded, and is submitted for your approval, as per the attached form entitled CORRECTION OF AMENDMENT NO. 2.

The SDIA Board requests that your Board approve the Correction of Amendment No. 2, and forward the applicable documents to the SDIA office at the earliest opportunity. If you have already approved the prior proposed amendment, you will need to re-act on this Correction. Again, we regret the inconvenience, but appreciate that the problem was called to our attention.

Sincerely,


Juan A. Lopez, President

Encls: 3

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VI. NEW BUSINESS

A. McCloud CSD and how they are structured. - President presented a written break down of general structure of the McCloud CSD and by reference is incorporated herein.

B. Correction of Amendment No. 2, First Amended Joint Powers Agreement - CSD Resolution 13-89: Director Wallace moved and duly seconded by Director Applegate to approve Resolution 13-89 pertaining to correction of Amendment No. 2, First Amended Joint Powers Agreement. Upon vote, motion carried unanimously. By reference incorporated herein.

C. First Reading of Ordinance No. 1-89 Adopting Regulations with Respect to Disposition of Personal Property Found or Saved on Property Within The Lake Shastina CSD Jurisdiction: First reading of Ordinance No. 1-89 was read into the minutes by President Spahr. Director Trager moved and duly seconded by Director Wallace to adopt regulation with respect to disposition of personal property found or saved on property within the Lake Shastina CSD jurisdiction. Upon vote, motion carried unanimously. NOTE: Second reading December 12, 1989 at CSD regular meeting.

D. First Reading of Ordinance No. 2-89 Adopting Gravity Hookup Fee of \$510 and Low Pressure Hookup Fee of \$1600 - First reading of Ordinance No. 2-89 was read into the minutes by President Spahr. Director Applegate moved and duly seconded by Director Wallace to approve ordinance for second reading on December 12, 1989. Upon vote, motion carried unanimously.

E. Set Date to Meet with General Manager and Director of Public Works for Annual Evaluation and Review of Contract Renewable on 12/1/89 - Director Wallace moved and duly seconded by Director Trager to authorize CSD President to meet with other agency presidents to prepare annual evaluation and review of contracts for General Manager and Director of Public Works renewable on 12/1/89.

VII. PUBLIC COMMENT - None to report.

VIII. CLOSED SESSION/Personnel Matters - Action reported out of "Closed Session" was that meeting and "Closed Session" is to be adjourned to Wednesday, November 15, 1989 at 3:30 p.m.

Meeting was reconvened at 3:30 p.m. on Wednesday November 15, 1989 with all five (5) directors present as well as Commissioner Harrison and Fire Chief Allen.

Action reported out of "Closed Session": Director Trager moved and duly seconded by Director Wallace to request Fire Chief Tom Allen to relinquish his position after he receives written notification. Upon roll call vote - AYES: Spahr, Trager, Wallace and Applegate NOES: none ABSTAIN: Johns

IX. ADJOURNED - There being no further business the regular meeting of 11/14/89 was adjourned to a "Closed Session" for personnel reasons at 4:30 p.m. The "Closed Session" was adjourned at 5:45 p.m. to Wednesday, November 15, 1989 at 3:30 p.m.

Respectfully submitted,
Mary M. Krolak
MARY M. KROLAK
District Secretary