



County of San Mateo

Inter-Departmental Correspondence

Department: GOVERNING BOARD

File #: 19-207

Board Meeting Date: 3/12/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors (Sitting as the Board of Commissioners for the Housing Authority)

From: Ken Cole, Executive Director, Housing Authority

Subject: Approval of Amended Joint Powers Agreement

RECOMMENDATION:

Acting as the Governing Board of Commissioners for the Housing Authority of the County of San Mateo, approve a resolution authorizing the Executive Director of the Housing Authority of the County of San Mateo to approve the amendment of the Joint Powers Agreement creating the California Housing Workers' Compensation Authority.

BACKGROUND:

The Housing Authority of the County of San Mateo ("HACSM") is a member of the California Housing Workers' Compensation Authority ("CHWCA"), a Joint Powers Authority created pursuant to California Government Code Section 6500, *et seq.* for the purposes of providing workers compensation insurance for its members through joint pooling of self-insured claims or losses as permitted pursuant to California Government Code Sections 990.4 and 990.8.

Pursuant to Article 16 of the Joint Powers Agreement (the "Agreement"), an amendment to the Agreement requires a vote of two-thirds of the Members, acting through their governing bodies. At a regular meeting of the CHWCA Executive Committee, the circulation to the CHWCA members of certain clarifying revisions to the Agreement was approved.

If two-thirds of the CHWCA members approve the Amended Agreement, the CHWCA Board will confirm approval of the Amended Agreement at its annual meeting held on May 2, 2019.

DISCUSSION:

At its November 15, 2018 meeting, the CHWCA Executive Committee reviewed various, proposed changes to CHWCA's governing documents, including the By-Laws, the Financial Stability Plan, the Underwriting Guidelines and the Joint Powers Agreement. Changes to the first three were approved by the Committee, as it is empowered to do. Changes to the Agreement, however, require approval of two-thirds of the CHWCA Members, acting through their governing bodies. The Agreement was

last updated in 2005.

The proposed changes are considered relatively modest:

- Update language to capture technical differences in the terms “reinsurance” and “excess insurance”;
- Clarify intent as to discontinuing business if a meeting quorum is lost;
- Replace the self-insurance term “contribution” for the insurance term “premium;”
- Clarify intent in the liability and indemnification article; and
- Update a stale reference to a Government Code section.

County Counsel has reviewed and approved the resolution as to form.

Approval of this resolution contributes to the Shared Vision 2025 outcome as Livable Community by promoting affordable, livable and connected communities

FISCAL IMPACT:

There is no net County cost associated with this action. It is solely an administrative action for HACSM as a CHWCA member.