

RESOLUTION NO. 2024 – ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS
AUTHORIZING THE CITY MANAGER TO TAKE ACTION NECESSARY TO PARTICIPATE
IN THE EMPLOYMENT RISK MANAGEMENT AUTHORITY (ERMA JPA).**

WHEREAS, the City of San Carlos wishes to obtain Employment Practices Liability coverage beginning July 1, 2024; and

WHEREAS, Employment Risk Management Authority (ERMA) is a self-insured joint powers authority created for the sole purpose of employment practices liability coverage; and

WHEREAS, ERMA is comprised of various public entities who risk share up to \$1 million against potentially unlawful employment practices and discrimination claims; and

WHEREAS, ERMA was formed primarily due to the fact that government entities have not historically been able to secure employment practices liability (EPL) coverage at a competitive cost through the commercial insurance marketplace; and

WHEREAS, ERMA has met all of the high professional standards established by the California Association of Joint Powers Authorities (CAJPA) in the areas of governance, finance, claims control, safety, and loss control and ERMA is fully accredited by CAJPA. CAJPA's accreditation process requires reviews by independent consultants in the areas of accounting, claims adjusting, and actuarial analysis; and

WHEREAS, ERMA provides services to both joint powers insurance authorities and individual public entities; and

WHEREAS, the City of San Carlos has determined that it is in its best interest to become a member of ERMA for the purpose of obtaining EPL coverage; and

WHEREAS, ERMA requires the City of San Carlos to pass a Resolution expressing its desire and commitment to participate in ERMA, which requires a three year minimum participation period. The City of San Carlos also understands it will be bound by the provisions in the ERMA Joint Powers Agreement just as though it were fully set forth and incorporated herein whether our entity had signed it individually or through an underlying joint powers insurance authority.

NOW, THEREFORE BE IT RESOLVED, that the San Carlos City Council hereby approves participation in ERMA and that the City Manager, on behalf of the City of San Carlos, is hereby authorized to take any and all actions necessary to implement the foregoing Resolution.

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I, City Clerk Crystal Mui, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Carlos at a scheduled meeting thereof held on the 22nd day of April 2024, by the following vote:

AYES, COUNCILMEMBERS:

NOES, COUNCILMEMBERS:

ABSENT, COUNCILMEMBERS:

APPROVED:

CITY CLERK of the City of San Carlos

MAYOR of the City of San Carlos