

RESOLUTION NO. 01 2023-2024

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BAY CITIES JOINT POWERS INSURANCE AUTHORITY
OUTLINING ALLOCATION OF CARMA SUB AND AGGREGATE LIMITS
FOR INVERSE CONDEMNATION CLAIMS INCURRED DURING THE 2022/23
PROGRAM YEAR**

WHEREAS, BCJPIA participated in the California Affiliated Risk Management Authority (CARMA) for excess liability coverage in the 2022/23 program year; and

WHEREAS, the 2022/23 CARMA Memorandum of Coverage contains a per occurrence and pool aggregate limit for claims arising out of Inverse Condemnation; and

WHEREAS, BCJPIA anticipates exceeding the applicable sub-limit per occurrence and pool aggregate limit in the 2022/23 program year based on claims received to date; and

WHEREAS, it is in the best interest of the impacted members to equitably allocate the available coverage.

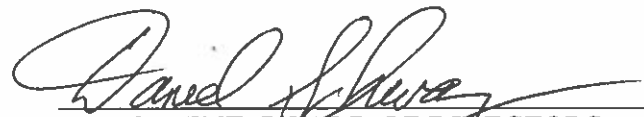
NOW, THEREFORE, IT IS RESOLVED, THAT the available coverage in the 2022/23 program year shall be allocated as follows:

For claims implicating the CARMA \$4,000,000 aggregate Inverse Condemnation sublimit applicable to BCJPIA for the 2022-2023 Program Year, each individual BCJPIA member with such a claim shall be entitled to an equal share of coverage proceeds, however no single occurrence may exceed coverage in excess of the CARMA \$2,000,000 per-occurrence inverse condemnation sublimit. In the event a BCJPIA member's claims do not exhaust its respective share of the \$4,000,000 aggregate limit, available funds in excess of that member's share may be applied to one or more claims of other members, not to exceed the per-occurrence limit for any claim to which the funds are applied.

Payments made from CARMA funds on Inverse Condemnation claims for the 2022-2023 Program Year are to be considered loans to the member utilizing the funds for settlement and the member may be assessed for an ultimate allocation of previously-paid funds at the closure of all Inverse Condemnation claims for the 2022-2023 Program Year, or the expiration of the applicable statute of limitations for all Inverse Condemnation claims for the 2022-2023 Program Year, whichever is later, to account for subsequently received claims.

This Resolution was adopted by the Board of Directors at a regular meeting of the Board held on the 27th day of October 2022, in Napa, California by the following vote:

AYES	<u>17</u>
NOES	<u>0</u>
ABSENT	<u>3</u>
ABSTAIN	<u>0</u>



PRESIDENT, BOARD OF DIRECTORS

ATTEST:



EXECUTIVE DIRECTOR