

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

In the Matter of a Cash Advance from Resolution
The County of Fresno to the San
Joaquin Valley Insurance Authority

WHEREAS, the County of Fresno, the County of Tulare, and the Central San Joaquin Valley Risk Management Authority, a joint powers authority ("CSJVRMA"), are the members of the San Joaquin Valley Insurance Authority, a joint powers agency separate and apart from such members and created by such members pursuant to Title 1, Division 7, Chapter 5, Article 1 (beginning with section 6500) of the California Government Code (the "Joint Powers Law") under that certain Amended & Restated Joint Exercise Of Powers Agreement Creating The San Joaquin Valley Insurance Authority ("SJVIA"), effective as of July 1, 2013 (the "SJVIA Joint Powers Agreement");

WHEREAS, under the Joint Powers Agreement, the SJVIA negotiates, purchases or otherwise funds health, pharmacy, vision, dental, and life insurance, and provides well ness and preventative programs, for participating employees of the County of Fresno, participating employees of the County of Tulare, and employees of certain approved public agencies, known as participating entities, under certain conditions, in all instances subject to obtaining a financial commitment by the parties to the SJVIA Joint Powers Agreement and such other participating public agencies to pay for their respective costs of that insurance as provided in the SJVIA Joint Powers Agreement;

WHEREAS, the County of Fresno has, under Government Code section 6504, subdivision (c), the authority to provide advances of public funds to the SJVIA for the purposes set forth in SJVIA Joint Powers Agreement; specifically, Article 5 of the SJVIA Joint Powers Agreement provides that the SJVIA shall have all powers set forth in the Joint Powers Law, and is authorized to do all acts necessary for the exercise of those powers, and that such powers include, but are not limited to, receiving and using

1 contributions and advances from any party or parties to the SJVIA Joint Powers
2 Agreement, or participating entity or entities in the SJVIA as provided in Government
3 Code section 6504;

4 WHEREAS, the SJVIA has requested that the County of Fresno and the County
5 of Tulare each make available for advance up to \$5,000,000 until June 30, 2017, as
6 needed by the SJVIA to temporarily assist the SJVIA in managing its cash flow needs;

7 WHEREAS, the use of a cash advance and repayment is the most cost effective
8 method to ensure that the SJVIA has sufficient cash to pay its costs for the purposes of
9 the SJVIA Joint Powers Agreement;

10 WHEREAS, the Board of Supervisors of the County of Fresno desires to
11 authorize an advance or advances to the SJVIA occurring on or after December 13,
12 2016 and until June 30, 2017, up to the maximum amount of \$5,000,000 to be provided
13 by the County of Fresno to the SJVIA, and expressly requests repayment thereof by the
14 SJVIA, as provided herein;

15 WHEREAS, the Board of Supervisors of the County of Fresno is informed and
16 believes that the Board of Supervisors of the County of Tulare desires to authorize an
17 advance or advances to the SJVIA on or after a date yet to be set and until June 30,
18 2017, up to the maximum amount of \$5,000,000 to be provided by the County of Tulare
19 to the SJVIA, and will expressly request repayment thereof by the SJVIA;

20 WHEREAS, the Fresno County Auditor-Controller/Treasurer-Tax Collector has
21 requested approval by the Board of Supervisors of the County of Fresno to make a cash
22 advance or advances up to the maximum amount of \$5,000,000 to the SJVIA on or after
23 December 13, 2016 until June 30, 2017, to be repaid in full by the SJVIA, plus accrued
24 interest thereon at the then-current County of Fresno Treasury Pool interest rate, at the
25 earlier of (a) when there is sufficient cash balance in SJVIA's Chase Bank account or
26 accounts to cover regular SJVIA cash flow needs, as determined by SJVIA Manager or
27 SJVIA Assistant Manager (or both of them) and the SJVIA Auditor-Treasurer; or (b)
28 December 30, 2021; and

1 WHEREAS, the then-current County of Fresno Treasury Pool interest rate shall
2 mean the weighted average of the County of Fresno Treasury Pool interest rate, if such
3 rate is modified during the interval between the time of the advance and the time of its
4 repayment, as applied to the funds advanced during each period, or portion thereof, that
5 such interest rate is in effect.

6 NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF
7 FRESNO DOES HEREBY RESOLVE, ORDER, AND AUTHORIZE:

8 1. The above recitals are all true and correct.

9 2. The cash advance or advances to the SJVIA up to the maximum amounts
10 to be provided by the County of Fresno and the County of Tulare, as provided and
11 referred to herein, respectively, is necessary to ensure that the SJVIA has sufficient
12 cash to pay its costs for the purposes of the SJVIA Joint Powers Agreement.

13 3. The Board of Supervisors of the County of Fresno hereby approves of,
14 and authorizes the County of Fresno to make, a cash advance or advances up to the
15 maximum amount of \$5,000,000 to the SJVIA on or after December 13, 2016 until June
16 30, 2017, and as requested herein to be repaid in full by the SJVIA, plus accrued
17 interest thereon at the then-current County of Fresno Treasury Pool interest rate, at the
18 earlier of (a) when there is a sufficient cash balance in SJVIA's Chase Bank account or
19 accounts to cover regular SJVIA cash flow needs, as determined by SJVIA Manager or
20 SJVIA Assistant Manager (or both of them) and the SJVIA Auditor-Treasurer; or (b)
21 December 30, 2017.

22 4. The Board of Supervisors of the County of Fresno hereby requests the
23 SJVIA to repay in full to the County of Fresno any such advance or advances made,
24 plus accrued interest thereon at the then-current County of Fresno Treasury Pool
25 interest rate, at the earlier of (a) when there is a sufficient cash balance in SJVIA's
26 Chase Bank account or accounts to cover regular SJVIA cash flow needs, as
27 determined by SJVIA Manager or SJVIA Assistant Manager (or both of them) and the
28 SJVIA Auditor-Treasurer; or (b) December 30, 2021.

5. The Board of Supervisors of the County of Fresno hereby authorizes the County Auditor-Controller/Treasurer-Tax Collector, the Director of Personnel Services (including the Interim Director of Personnel Services), and County Counsel, including their respective designees, to negotiate with the appropriate parties, which parties may include the SJVIA and the County of Tulare, a cash advance and repayment agreement that is consistent with the terms of this Resolution.

6. The Board of Supervisors of the County of Fresno will, by separately adopted resolution, provide for the appropriation of funds necessary to accomplish the purposes of this Resolution.

PASSED AND ADOPTED this 13th day of December 2016, by the following vote of the Board of Supervisors of the County of Fresno:

AYES: Supervisors Borgeas, Mendes, Pacheco, Poochigian

NOES: None

ABSENT: Supervisor Perea

County of Fresno

Ent & Bully Member

Ernest Buddy Mendes, Chairman
Board of Supervisors

ATTEST:
Bernice E. Seidel
Clerk to the Board of Supervisors

By: Susan Bishop
Deputy