

RESOLUTION NO. 6342-2021

RESOLUTION OF THE CITY OF SEBASTOPOL AUTHORIZING PARTICIPATION IN THE  
EMPLOYMENT RISK MANAGEMENT AUTHORITY

WHEREAS, the City of Sebastopol wishes to obtain Employment Practices Liability coverage for the period beginning on July 1, 2021; and

WHEREAS, the Employment Risk Management Authority (ERMA) is a self-insured joint powers authority created for the sole purpose of Employment Practices Liability Coverage. 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 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 Sebastopol has determined that it is in the best interest to become a member of ERMA for the purpose of obtaining Employment Practices Liability coverage; and

WHEREAS, ERMA requires the City of Sebastopol to pass a resolution expressing the desire and commitment of the City of Sebastopol's participation in ERMA, which requires a three year minimum participation period. City of Sebastopol also understands our entity 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.

WHEREAS, the action of joining ERMA does not constitute a project as defined by California Environmental Quality Act Guidelines Section 15378; therefore, no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SEBASTOPOL THAT:

1. The City of Sebastopol approves participation in ERMA starting on July 1, 2021; and
2. The City Manager on behalf of the City of Sebastopol is hereby authorized to take any and all actions necessary to implement the foregoing resolution.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Sebastopol held on the 4<sup>th</sup> day of May 2021, by the following vote:

**VOTE:**

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass

Noes: None

Absent: None

Abstain: None

APPROVED:  \_\_\_\_\_  
Mayor Una Glass

ATTEST:  \_\_\_\_\_  
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:  \_\_\_\_\_  
Larry McLaughlin, City Attorney