

RESOLUTION NO. 2020-03

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAR VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,
AMENDMENT No. 1 TO THE JOINT POWERS AGREEMENT FOR THE
FORMATION OF A JOINT POWERS AUTHORITY AND MANAGEMENT OF THE
BEAR VALLEY GROUNDWATER BASIN**

This FIRST AMENDMENT (“Amendment”) to the JOINT POWERS AGREEMENT BY AND AMONG THE CITY OF BIG BEAR LAKE DEPARTMENT OF WATER AND POWER, BIG BEAR CITY COMMUNITY SERVICES DISTRICT, BIG BEAR MUNICIPAL WATER DISTRICT, AND BI BEAR AREA REGIONAL WASTEWATER AGENCY is entered into as of June 16, 2020 by and between the CITY OF BIG BEAR LAKE, DEPARTMENT OF WATER AND POWER (“DWP”), a department of the City of Big Bear Lake formed pursuant to its Charter, BIG BEAR MUNICIPAL WATER DISTRICT (“BBMWD”), a Municipal Water District organized under Water Code §§ 71000 et seq., the BIG BEAR CITY COMMUNITY SERVICES DISTRICT (“BBCCSD”), a Community Services District organized under Government Code §§ 61770 et seq., and BIG BEAR AREA REGIONAL WASTEWATER AGENCY (“BBARWA”), a joint powers authority. The public entities listed above may be referred to in this Agreement collectively as “Member Agencies”.

RECITALS

WHEREAS, on or about October 18, 2017, the Member Agencies entered into a Joint Powers Agreement (“JPA Agreement”) creating the Bear Valley Basin Groundwater Sustainability Agency to manage the Bear Valley Groundwater Basin.

WHEREAS, the Member Agencies desire to enter into this Amendment in order to revise certain insurance provisions of the JPA Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties hereto agree as follows:

1. **Section 20**: Section 20 of the JPA is hereby amended to read as follows (new language is underlined, removed language is struck):

20. **INSURANCE**. The Agency may obtain insurance for the Board members and general liability insurance containing liability in such amounts as the Board shall determine will be necessary to adequately insure against the risks of liability (including compliance with the indemnification provisions in Section 19 above) that may be incurred by the Agency. The Members, their officers, directors, and employees, shall be named as additional insureds.

2. **Counterparts**: This Amendment may be executed in counterparts, each of which shall be deemed an original and shall remain in full force and effect.

IN WITNESS WHEREOF, the Member Agencies have caused this Amendment to be executed as of the date first set forth above.

PASSED, APPROVED, AND ADOPTED on June 16, 2020.



Bob Ludecke, Board Chairman

ATTEST:


Jim Miller, Board Secretary

[MEMBER AGENCY SIGNATURES ON FOLLOWING PAGES]