



RESOLUTION NO. 13-10-10
AUTHORIZING MEMBERSHIP IN THE PARK DISTRICT
RISK MANAGEMENT AGENCY

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or by ordinance; and

WHEREAS, the Illinois Governmental Cooperation Act, 5 ILCS 220/1 et seq (1998) contains provisions specifically authorizing units of local government to enter into intergovernmental agreements to jointly provide areas of coverage for liability or loss and authorizes each public agency member of the contract to utilize its funds to protect, wholly or partially, any public agency member of the contract against liability or loss in the designated insurance areas; and

WHEREAS, a large number of Illinois units of local government and intergovernmental agencies have entered into an intergovernmental contract which established the Park District Risk Management Agency (PDRMA); and

WHEREAS, units of local government have determined it to be appropriate to provide various personnel benefit programs for their employees; and

WHEREAS, PDRMA has successfully operated for a number of years; and

WHEREAS, after substantial study and investigation, it has been determined that the best method of achieving the goals of comprehensive insurance and insurance-like coverages and risk management services of the Frankfort Square Park District can be achieved by participating in PDRMA and by entering into a contractual relationship with PDRMA and its Members; and

WHEREAS, the Frankfort Square Park District and PDRMA desire to continue to utilize all defenses and immunities available to governmental bodies in this state under statutory or common-law authority; and

WHEREAS, the stated purposes, organizational structure and other governance provisions contained within the Contract and By-Laws document and policies contained within PDRMA Policies, which have been submitted to the governing board of this body for adoption, represents the position shared by this governing board and, in the case of a Member which is created through an intergovernmental contract, by its constituent contracting parties; and

WHEREAS, the governing board the Frankfort Square Park District finds that it is in its best interest to become a member of the PDRMA under the submitted Contract and By-Laws;

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKFORT SQUARE PARK DISTRICT as follows:

SECTION 1: That the President and Secretary or other executive and secretariat officers are hereby authorized to execute the Contract and By-Laws of the Park District Risk

Management Agency. A copy of the Contract and By-Laws is appended to and made a part of this Resolution.

SECTION 2: The powers of PDRMA, unless the Contract and By-Laws be amended under its terms, shall be limited to those contained within the Contract and By-Laws and Agency Policies.

SECTION 3: The obligation of this unit of local government or intergovernmental contractual or other approved entity to fully participate in such operations shall be effected in accordance with that Contract and By-Laws.

SECTION 4: If a Member of PDRMA, passing this Resolution, is an intergovernmental entity which provides special recreational services to its Members, the passage of this Resolution shall be acknowledged as the approval of the Contract and By-Laws by the intergovernmental entity and by each of its contracting Members such that all contracting Members acknowledge their individual responsibility to comply with the Contract and By-Laws of PDRMA in any matters involving the obligations assumed by the intergovernmental entity.

SECTION 5: Except to the extent of the financial contributions to PDRMA set forth in the Contract and By-Laws, no contracting party by authorizing the execution of the Contract and By-Laws acknowledges or accepts any responsibility in any way for claims due to the property losses, health or other employee benefits, claims in tort or contract or other claims or losses made against any other Member of PDRMA.

SECTION 6: This unit of local government or intergovernmental contractual or other approved entity expressly acknowledges receipt of the PDRMA Policies a copy of which is made a part of this Resolution as Appendix 2.

SECTION 7: This Resolution shall be in full force and effect from and after its passage.

PASSED this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

President

ATTEST:

Secretary