

RESOLUTION NO. 04 -2019

A RESOLUTION AUTHORIZING THE VILLAGE TO ISSUE WITHDRAWAL NOTICE TO THE INTERGOVERNMENTAL RISK MANAGEMENT AGENCY SUBJECT TO CERTAIN CONDITIONS

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Board" and with the President, the "Corporate Authorities") are committed to ensuring the general welfare of the Village and its residents and to operating efficiently as a unit of government; and

WHEREAS, the Village is and has been a Member of the Intergovernmental Risk Management Agency ("IRMA"), which currently serves as the Village's primary risk management and insurance carrier; and

WHEREAS, the Village, in good stewardship of taxpayer dollars, is conducting due diligence relative to the pricing and services provided by IRMA, as well as other potential risk management and insurance carriers; and

WHEREAS, pursuant to Section 4.05 of the IRMA Contract and Bylaws, a Member must give at least one hundred-twenty (120) days-notice prior to withdrawing from IRMA (the "Withdrawal Notice") and further provide a resolution of the corporate authority of the Member authorizing such member to withdraw from IRMA; and

WHEREAS, Section 4.05 of the IRMA Contract and Bylaws also states that only members who provide written notice of withdrawal nine (9) months or more in advance of the end of IRMA's fiscal year, but no later than March 30th, to be effective at the end of any fiscal year of IRMA, shall receive the remaining balance of its Member Reserve Account; and

WHEREAS, should the Village decide to withdraw from IRMA after the completion of its due diligence, the Village would desire to terminate its Member status with IRMA effective January 1, 2020, and have the remaining balance of its Member Reserve Account returned to the Village; and

WHEREAS, the Village hereby requests from IRMA time to engage in due diligence until August 31, 2019, for the Village to have the option to request that the Withdrawal Notice can be rescinded, if necessary; and

WHEREAS, the Corporate Authorities of the Village believe it is in the best interests of the Village and its residents to have the option to rescind the Village's Withdrawal Notice from

IRMA and also maintain its ability to retain the funds in the Village's Member Reserve Account as provided by IRMA policies, should the results of the Village's due diligence reveal a cost savings or other compelling reason to withdraw from IRMA.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2: PURPOSE. The purpose of this Resolution is to authorize that a notice be given by and through this resolution to IRMA notifying it of the Village's intention to withdraw from IRMA at the end of this IRMA fiscal year pursuant to Section 4.05 of the IRMA Contract and Bylaws and to further authorize the President or his designee to take all steps necessary to carry out the terms and intent of this Resolution and to ratify any steps taken to effectuate those goals.

SECTION 3: AUTHORIZATION. The Board hereby authorizes and directs the President or his designee to approve and send this Resolution and any other necessary Withdrawal Notices to IRMA in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Resolution. The Board further authorizes and directs the President or his designee to execute the Withdrawal Notice with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign the Withdrawal Notice, or any other required documents to effectuate the withdrawal, and any other documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Resolution and shall take all action necessary in conformity therewith.

SECTION 4: HEADINGS. The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

SECTION 5: SEVERABILITY. The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6: SUPERSEDER. All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7: PUBLICATION. A full, true and complete copy of this Resolution shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8: EFFECTIVE DATE. This Resolution shall be effective and in full force immediately upon passage and approval as provided by law.

PASSED this 28th day of March, 2019.

AYES: Trustees Milenkovic, Savopoulos, Torres and White

NAYS: None

ABSENT: Trustees Hrejsa and Kapolnek

ABSTENTION: None

APPROVED by me this 28th day of March, 2019.

Jeff Walik, President

ATTESTED AND FILED in my office this 28th day of March, 2019.

Audrey McAdams, Village Clerk