

RESOLUTION R -3441

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF KIRKLAND AN AMENDMENT TO THE INTERLOCAL GOVERNMENTAL AGREEMENT, WITH RESPECT TO THE CREATION AND OPERATION OF THE WASHINGTON CITIES INSURANCE AUTHORITY.

Whereas, the City of Kirkland is a member of the Washington Cities Insurance Authority (WCIA) having joined same pursuant to Kirkland Resolution R-2751 adopted August 18, 1980, and

Whereas, Article 26 of the Interlocal Agreement creating WCIA allows for amendment of said Interlocal Agreement, and

Whereas, the Board of Directors of WCIA has unanimously approved the adoption of changes to Articles 20 and 21 and Section 15B and approved the presentation of said proposed amendments to each of the member cities for their ratification and approval, and

Whereas, the City of Kirkland has reviewed the proposed amendments and find that they merit adoption, now, therefore,

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The City Council of the City of Kirkland hereby approves the adoption of those certain proposed changes to Articles 20 and 21, relating to withdrawal, cancellation, and termination of membership and coverage, together with an amendment to Article 15, relating to Fidelity Bonds for WCIA officers and personnel authorized to disburse funds, all as set forth in Exhibit A to this Resolution and by this reference incorporated herein.

Section 2. The mayor of the City of Kirkland is hereby authorized and directed to sign on behalf of the City of Kirkland the amendments to the Interlocal Agreement, all in accordance with the provisions contained in Exhibit A.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 1st day of March, 1988.

Signed in authentication thereof this 1st day of
March, 1988.


MAYOR

ATTEST:


City Clerk

EXHIBIT A

INTERLOCAL CHANGE:

COMBINE ARTICLES 20 & 21 - "WITHDRAWAL" & "CANCELLATION" -
IN ITS ENTIRETY. REPLACE WITH NEW ARTICLE 20 -

A) "CITY WITHDRAWAL FROM AUTHORITY MEMBERSHIP" AS FOLLOWS:

(1) A Member City may withdraw as a party to this Agreement pursuant to requirements of Article 18.

(2) A Member City which signs the Agreement and enters the Joint Protection Program pursuant to Article 18 may not withdraw as a party to this Agreement and as a member of the Authority for a three-year period commencing on the effective date of the Joint Protection Program, as determined by Article 18.

(3) After the initial three-year non-cancellable commitment to the program, any Member City may withdraw from membership only at the end of any fiscal year of the Authority, provided it has given the Authority twelve months prior written notice of its intent to withdraw from this Agreement. Such notice shall be hand carried or mailed to the offices of the Authority by certified mail.

(4) Withdrawal of membership will result in automatic cancellation of such Member City's participation in the Joint Protection Program, any excess insurance and any other programs offered by the Authority effective the date of withdrawal. Further, the Authority reserves the right to non-renew said withdrawing Member City's coverage in any Authority program during such City's notice period.

DELETE ARTICLE 20 - "CANCELLATION" AND REPLACE WITH NEW

ARTICLE 20B

20B) "AUTHORITY TERMINATION OF CITY MEMBERSHIP".

(1) The Authority shall have the right to terminate any City's membership in the Authority at any time. Such Termination of Membership shall be upon a majority vote of the Board of Directors present at a full Board meeting where such motion for termination of membership is presented. A City's termination of membership shall become effective no later than sixty (60) days after the date such motion is passed, but in no event shall membership extend beyond the last day of coverage in the current Authority insurance coverage program in which said City is a participant.

(2) For purposes of this section, Membership in the Authority consists of a Member City's right to have a representative on the Board of Directors and to vote on Board matters, and the right to participate or receive coverage in any Joint Protection Program, self-insured retention or excess insurance program, and to utilize any Authority services or programs.

(3) The Authority shall notify a City in writing of its intent to vote on a motion for Termination of Membership of the City at least 30 days before the meeting at which the motion is to be voted upon. The notification shall include reasons for the proposed Termination of Membership. The affected City has the right to be represented at the meeting where the motion for Termination of Membership is to be voted upon and will be provided an opportunity to address the Board members present if they so choose.

ARTICLE 21 - "CANCELLATION" SHOULD BE DELETED IN ITS ENTIRETY AND REPLACED WITH NEW ARTICLE 21 - "CANCELLATION OF COVERAGE".

(a) The Authority shall have the right to cancel any Member City's participation in any insurance coverage program offered by or through the Authority. The terms of such cancellation of coverage will be specified in each of the coverage documents for the Authority's various programs, except that excess coverage in any program shall automatically cancel effective the date of cancellation of its self-insured coverage. Further, coverage in all Authority programs shall cease effective the date of a Member City's voluntary withdrawal of membership from the Authority.

(b) The Authority may cancel any Member City's participation in any insurance coverage program offered by or through the Authority without termination of the Member City's membership in the Authority. However, any City whose Membership in the Authority has been terminated pursuant to Article 20B shall automatically be cancelled from participation in all insurance coverage programs offered by or through the Authority as of the effective date of termination of membership.

INTERLOCAL CHANGE:

ARTICLE 15 "RESPONSIBLE FOR MONIES"

SECTION B:

(b) A bond in the amount set by the Board, ~~but not less than one million dollars~~ ~~(\$1,000,000)~~ ((as outlined by State RCW)) shall be required of all officers and personnel authorized to disburse funds of the Authority, such bond to be paid for by the Authority.

Date