

RESOLUTION 2013-13
AUTHORIZING MEMBERSHIP IN THE
LIBRARIES OF ILLINOIS RISK 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 intergovernmental contracts to provide comprehensive self-insurance cooperatives to protect said agencies from various types of losses; and

WHEREAS, certain Illinois Libraries and the Illinois Library Agency have determined it to be appropriate to create such an intergovernmental contract which shall establish the Libraries of Illinois Risk Agency ("LIRA"); and

WHEREAS, after 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 for the Fox River Valley Public Library District can be achieved by participating in LIRA and by entering into a contractual relationship with LIRA and its members; and

WHEREAS, the Fox River Valley Public Library District and LIRA desire 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, which has been submitted to the governing board of this body for adoption, represents the position shared by this governing board; and

WHEREAS, the governing board of the Fox River Valley Public Library District finds that it is in its best interest to become a member of the LIRA under the submitted Contract and By-Laws;

NOW, THEREFORE, BE IT RESOLVED BY THE Fox River Valley Public Library 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 Libraries of Illinois Risk Agency and further authorize the creation of LIRA effective December 31, 2013, upon the adoption of an identical Resolution by no fewer than (not applicable) of the libraries named on Appendix A, which is attached hereto, by said date.

SECTION 2: The powers of LIRA, 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 and any amendments thereto adopted as provided for therein.

SECTION 4: Except to the extent of the financial contributions to LIRA 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, claims in tort or contract or other claims or losses made against any other Member of LIRA.

SECTION 5: That the Director is appointed to be the library's representative on the LIRA Board of Directors and the Assistant Director of Support Services is appointed to be the library's alternative representative as provided for in the LIRA Contract and By-Laws.

SECTION 6: This Resolution shall be in full force and effect from and after its passage.

PASSED this 11th day of November, 2013.

AYES: _____

NAYS: _____

ABSENT: _____

Margaret M. Skold, President
Fox River Valley Public Library District

ATTEST:

Richard V. Corbett, Secretary
Fox River Valley Public Library District