

TEMPORARY RESOLUTION NO. 23-20

PERMANENT RESOLUTION NO. 19-20

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT AND BYLAWS OF THE OHIO TRANSIT RISK POOL

WHEREAS, Section 2744.081 of the Ohio Revised Code provides that a political subdivision may, pursuant to the extent that it considers necessary, join with other political subdivisions in establishing and maintaining a joint self-insurance pool to provide for the payment of judgments, settlement of claims, expenses, loss, and damage that arises, or is claimed to have arisen, from an act or omission of the political subdivision or any of its employees in connection with a governmental or a proprietary function and to indemnify or hold harmless the subdivision's employees against such loss or damage; and

WHEREAS, there has been formed a nonprofit corporation under Chapter 1702 of the Ohio Revised Code known as the Ohio Transit Risk Pool, for the purpose of establishing and maintaining a joint self-insurance pool under Chapter 2744 of the Ohio Revised Code; and

WHEREAS, this Council has determined that it is in the best interest of Lancaster-Fairfield Public Transit (the "Authority") to become a member of the Ohio Transit Risk Pool and join with other political subdivisions in maintaining a joint self-insurance pool under Chapter 2744 of the Ohio Revised Code;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. The Agreement and Bylaws of the Ohio Transit Risk Pool ("the Agreement") in substantially the form as is now on file with the Clerk of Council, is hereby approved, together with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the Authority and that are approved by Council on behalf of the Authority, all of which shall be conclusively evidenced by the execution of the Agreement or amendments to the Agreement. The President of Council is designated as the officer of the Authority to sign and deliver the Agreement and that officer shall sign and deliver, in the name of and on behalf of the Authority, the Agreement along with a copy of this resolution.

SECTION 2. This Council accepts and approves the proposal presented by Ohio Transit Risk Pool on August 20, 2019 and hereby accepts full membership for the period beginning January 1, 2020 and thereafter renewing every year in accordance with OTRP's By-laws.

SECTION 3. This Council desires to appoint the Transit Manager as voting trustee to the Ohio Transit Risk Pool Board of Trustees and in the absence of the voting trustee to appoint the Service-Safety Director as alternate trustee to serve and vote in the absence of the voting trustee. In the absence of the alternate trustee, to appoint the Assistant Transit Director as the second alternate trustee to serve and vote in the absence of the voting trustee and the alternate trustee.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. That this resolution shall take effect and be in force from and after the earliest period allowed by law

Passed: 1/27/2020 after 1st reading. Vote: Yeas 9 Nays 0

Date Approved: 1/27/2020

Clerk: Jessica Lee Sandy

Offered by: Corey Johnson

Second by: Thomas A James

Requested by Public Works Committee

Teresa C. Lee  
President of Council

David L. Schepler  
Mayor