

A RESOLUTION

**TO BECOME A MEMBER OF THE GEORGIA INTERLOCAL RISK
MANAGEMENT AGENCY (GIRMA) AND PARTICIPATE IN ONE OR MORE
OF GIRMA'S FUNDS**

WHEREAS, Article 9, Section 3, Paragraph 1 of the Constitution of Georgia authorizes municipalities and other political subdivisions to contract with each other for activities which the contracting parties are authorized by law to undertake; and

WHEREAS, Chapter 85 of Title 36 of the Official Code of Georgia Annotated authorizes certain public entities to execute intergovernmental contracts to become members of an interlocal risk management agency for the purpose of sharing their accident, disability, supplemental medical, general liability, motor vehicle and property damage risks in whole or in part; and

WHEREAS, municipalities within Georgia have found it increasingly difficult to obtain commercial insurance protection, and have found the costs of such protection often exceeds the ability of a public entity to pay; and

WHEREAS, public entities in Georgia need a stable method for managing their risks to avoid the unpredictable and cyclical nature of the commercial insurance market; and

WHEREAS, many Georgia public entities do not have sufficient resources to self-insure their risks on an individual basis; and

WHEREAS, the Public Entity of the City of Marietta, located in Cobb County, Georgia, desires to become a Member of the Georgia Interlocal Risk Management Agency ("GIRMA"), an interlocal risk management agency formed pursuant to Chapter 85 of Title 36 of the Official Code of Georgia Annotated; and

WHEREAS, the intergovernmental contract requires all members of GIRMA to participate in at least one GIRMA Fund; and

WHEREAS, the governing authority of the City of Marietta has reviewed the intergovernmental contract, the Fund Election Form, and the bylaws of GIRMA and finds that the goals of GIRMA and the obligations imposed on the City of Marietta by membership in GIRMA and the Fund or Funds selected on the Fund Election Form are in accordance with the philosophy and public policy objectives of this community; and

WHEREAS, the governing authority of the City of Marietta finds that it is in the best interest of its residents to become a member of GIRMA and to join the Fund or Funds selected on the Fund Election Form;

NOW THEREFORE BE IT RESOLVED by the governing authority of the City of Marietta:

1. The Mayor of the City of Marietta is authorized to execute the intergovernmental contract to become a Member of GIRMA and the GIRMA Fund Election Form to become a member of the GIRMA Funds identified on that Form. A copy of the intergovernmental contract and bylaws of GIRMA and the completed Fund Election Form are attached and made part of this resolution.
2. The powers of GIRMA shall be limited to those contained in the documents attached as part of this resolution, as amended from time to time, and those contained in Chapter 85 of Title 36 of the Official Code of Georgia Annotated and the rules and regulations of the Insurance Commissioner of the State of Georgia.
3. The commencement of operations and the continuing operations of GIRMA and the obligation of the City of Marietta to fully participate in such operations shall be effectuated in accordance with the intergovernmental contract and bylaws and the Fund Election Form.
4. The Mayor of the City of Marietta is designated as the City of Marietta's representative to GIRMA, and he or she is authorized to complete any additional documents required for membership in GIRMA or the selected Fund or Funds.
5. The City of Marietta may change its representative by making a written request to Georgia Municipal Association, Inc., the Program Administrator for GIRMA.
6. This resolution shall be effective on the date of adoption.

DATE: December 13, 2017

APPROVED: R. Steve Tumlin, Jr.
R. Steve Tumlin, Mayor

ATTEST: Stephanie Guy
Stephanie Guy, City Clerk

Approved as to form: Douglas R. Haynie
Douglas R. Haynie, City Attorney

Attachments:

GIRMA Fund Participation Election Form
GIRMA Firefighter Cancer Coverage Application and Participation Agreement
GIRMA Amended and Restated Intergovernmental Contract
GIRMA Bylaws