

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA DECLARING THE POLICY AND PURPOSE OF THE CITY TO JOIN WITH OTHER MUNICIPALITIES IN A RISK MANAGEMENT SELF INSURANCE CONSORTIUM; STATING THE FUNCTIONS OF THE CONSORTIUM TO BE PERFORMED ON BEHALF OF THE CITY. AUTHORIZING AND DIRECTING THE EXECUTION OF THE NECESSARY CONTRACT; PROVIDING FOR THE APPOINTMENT OF THE CITY'S REPRESENTATIVE ON THE BOARD OF DIRECTORS OF THE CONSORTIUM AND NOMINATION OF A TRUSTEE; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Dade County League of Cities has sponsored a study of risk management and self-insurance for the municipalities in Dade County, and

WHEREAS, the City of West Miami is one of the municipalities included in the study, and

WHEREAS, the study indicates that it is feasible for the City of West Miami to be self-insured, and that joining with other cities in Dade County in a risk management and self-insured program will provide the most efficient and economical way for the City to administer a self-insurance program, and

WHEREAS, municipalities of the State of Florida are authorized by Section 768.28,1.(14) Florida Statutes to be self-insured, or to enter into risk management programs, or to purchase liability insurance for whatever coverage they may choose, or to have any combination thereof, for any claim, judgment and claims bill which they may be liable to pay; and

WHEREAS, municipalities are authorized by Section 163.01 (4) Florida Statutes to exercise jointly with other municipalities any power, privilege or authority which such municipalities share in common;

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST MIAMI:

Section 1. It is hereby declared to be the policy and purpose of the City of West Miami to join with other municipalities in a Consortium for the purpose of providing risk management services and self-insurance against tort liability for the municipi-

palties. The functions of the Consortium shall be: to examine and evaluate the exposure to tort liability by the municipalities; to recommend remedial actions to reduce exposure; to administer funds provided by the municipalities to pay just claims; to investigate accidents and incidents involving the municipalities; to negotiate settlements of just claims and litigate when necessary. In performing all of the stated functions the Consortium shall act for and on behalf of the municipality involved.

Section 2. The Mayor is hereby authorized and directed to execute the Agreement with the other members of the Consortium, dated January 1, 1978 for convenience and identification.

Section 3. By majority vote the City Council shall appoint one of its members, or an officer of the City to be the City's representative on the Board of Directors of the Consortium and serve on the Executive Committee managing the Consortium if elected. The City Council shall select an appropriate city official or employee to be this City's nominee to serve as a Trustee administering the Trust to be established to act in concert with the Consortium.

Section 4. Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 5. It is the intention of the City Commission and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of the City of West Miami, Florida; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. The provisions of this ordinance shall become effective on January 15, 1978.

PASSED AND ADOPTED, this 18th day of January, 1978.

Valerie C. Hekey
Via-President, City Council

Attest:

Eileen Kay Campbell
City Clerk

APPROVED:

Edmund Hooper
MAYOR