

# City of Cumberland

- Maryland -

## RESOLUTION

No. R2014-08

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND AUTHORIZING THE CITY'S PARTICIPATION IN THE MARYLAND GOVERNMENT HEALTH COOPERATIVE OFFERED BY LOCAL GOVERNMENT INSURANCE TRUST (LGIT), PURSUANT TO INSURANCE ARTICLE 19-602 AND 19-603 OF THE MARYLAND CODE, AND AUTHORIZING APPROPRIATE OFFICERS AND EMPLOYEES OF THE CITY TO EXECUTE DOCUMENTS TO COMPLETE THE TRANSACTION AS SET FORTH IN THE AGREEMENT.

**WHEREAS,** Mayor and City Council of Cumberland (the "City") desires to participate in the Maryland Local Government Health Cooperative offered by Local Government Insurance Trust to local governments in Maryland pursuant to Insurance Article, §§ 19-602 and 19-603 of the Maryland Code; and,

**WHEREAS,** the City is a "local government" as defined in Insurance Article § 19-603 of the Maryland Code; and

**WHEREAS,** the City is willing to make a two-year commitment to participate in the cooperative and, pursuant to and in accordance with Insurance Article, § 19-603 of the Maryland Code, to pledge its full faith and credit and unlimited taxing power to the City's payment obligations to the cooperative; and

**WHEREAS,** Insurance Article § 19-603 of the Maryland Code authorizes the City to (i) enter into a funding agreement in connection with the cooperative, (ii) determine by resolution the provisions, terms, conditions, and duration of the funding agreement, and (iii) undertake a payment obligation in the funding agreement without regard to any limitations contained in its charter or other applicable public local law or public general law that otherwise would apply and without complying with any procedures contained in its charter or other applicable public local law or public general law that otherwise would apply and without complying with any procedures contained in its charter or other applicable public local or public general law that otherwise would be required; and

**WHEREAS,** the City understands and acknowledges that the health benefit plan adopted by the City in connection with the cooperative is a self-funded plan; and

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**WHEREAS,** the City understands, and agrees to, all terms and conditions of participation in the cooperative; and

**WHEREAS,** the City may not be assessed for any funding deficit in the cooperative and is not obligated to fund the cooperative except to the extent set forth in the funding agreement approved by this Resolution.

**NOW, THEREFORE BE IT RESOLVED THAT,** the Mayor and City Council of Cumberland, Maryland hereby authorizes and approves the City's participation in the Maryland Local Government Health Cooperative (the "Cooperative") offered by Local Government Insurance Trust ("LGIT") to local governments in Maryland and acknowledges and accepts the terms and conditions established by LGIT for participation in the Cooperative; and

**BE IT FURTHER RESOLVED THAT,** Mayor and City Council of Cumberland hereby approves, and authorizes the execution and delivery of, the Member Funding Agreement between the City and LGIT (the "Agreement") in the form set forth in Exhibit A to this Resolution; and,

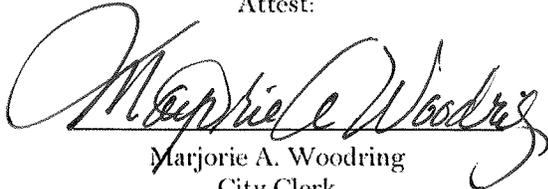
**BE IT FURTHER RESOLVED THAT,** pursuant to Insurance Article, § 19-603(c)(1) of the Maryland Code, a payment obligation in the Agreement is a general obligation of the City to which the City's full faith and credit and unlimited taxing power are pledged and is not subject to annual appropriation by the City; and,

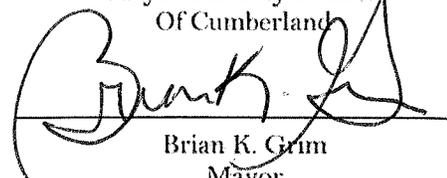
**BE IT FURTHER RESOLVED THAT,** Mayor and City Council of Cumberland hereby authorizes, empowers, and directs the appropriate officers and employees of the City to execute and deliver the Agreement and to take all other actions necessary and appropriate to effect the City's participation in the Cooperative in accordance with the terms and conditions set forth in the Agreement; and,

**BE IT FURTHER RESOLVED THAT,** this Resolution shall take effect immediately upon its adoption by Mayor and City Council of Cumberland.

GIVEN UNDER OUR HANDS AND SEALS THIS 18<sup>TH</sup> DAY OF NOVEMBER, 2014  
WITH THE CORPORATE SEAL OF THE CITY OF CUMBERLAND HERETO ATTACHED,  
DULY ATTESTED BY THE CITY CLERK

Attest:

  
\_\_\_\_\_  
Marjorie A. Woodring  
City Clerk

Mayor and City Council  
Of Cumberland  
  
\_\_\_\_\_  
Brian K. Grim  
Mayor