

**CITY OF WESTWOOD, KANSAS**

**RESOLUTION NO. 126-2024**

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS,  
AUTHORIZING BINDING PROPERTY AND LIABILITY INSURANCE COVERAGE WITH  
MIDWEST PUBLIC RISK**

**WHEREAS**, the Kansas Municipal Group Funded Pool Act, K.S.A. 12-2616 through 12-2631, as amended (the "Group Funded Pool Act") authorizes municipalities located in Kansas to enter into agreements to pool liabilities for various categories of risk, including but not limited to health, dental, and vision coverage of municipal employees and property and liability coverage; and

**WHEREAS**, Midwest Public Risk of Kansas, Inc. is a Kansas not-for-profit corporation formed in order to allow local governmental units to procure various benefit programs and risk coverages which are either unavailable or prohibitively expensive in the commercial marketplace; and

**WHEREAS**, it is the determination of the City that, by participation with MPR Kansas pursuant to the Group Funded Pool Act, the City will have the opportunity to share risk for health, dental, and vision coverage and property and liability coverage with MPR Kansas and will benefit from increased risk sharing and reduced costs of administration; and

**WHEREAS**, the Management Agreement between MPR Kansas and Midwest Public Risk ("MPR") provides that MPR is responsible for the review and approval of applications for membership in MPR Kansas; and

**WHEREAS**, the City has been further advised in writing by MPR Kansas that: (a) MPR Kansas is not an insurance company subject to the general laws and regulations relating to insurance companies; (b) MPR Kansas is subject to separate regulation by the Kansas Insurance Department as authorized by state statute and cannot commence or continue operations without a certificate of authority and (c) the issuance of a certificate of authority by the Kansas Insurance Department does not constitute an endorsement or recommendation by the Kansas Insurance Department or the State of Kansas of the coverage provided by MPR Kansas; and

**WHEREAS**, the Governing Body of the City of Westwood adopted Resolution No. 99-2021 on October 14, 2021 approving execution of the MPR's Bylaws.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:**

**Section 1.** The City, in accordance with the MPR Bylaws hereby requests consideration by MPR of the City's desire to procure property and liability coverage effective April 1, 2024.

**Section 2.** The City hereby reaffirms its agreement to be bound to the terms of the Bylaws of MPR.

**Section 3.** Effective Date. This resolution shall be effective upon its adoption by the Governing Body of the City of Westwood, Kansas.

**ADOPTED** this 14<sup>th</sup> day of March, 2024, by majority vote of the Governing Body.

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David E. Waters, Mayor

ATTEST:

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Abby Schneweis, City Clerk

APPROVED AS TO FORM:

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Ryan Denk, City Attorney