

February 28, 2019

19-079

JOINDER OF TRUST AGREEMENT BETWEEN
PORTLAND COMMUNITY COLLEGE AND THE
PROPERTY AND CASUALTY FOR EDUCATION
(PACE) TRUST

PREPARED BY: Robert Gabris, Risk Manager, Risk Services

APPROVED BY: Eric Blumenthal, Interim Vice President, Finance and
Administration
Mark Mitsui, College President

REPORT: Oregon law requires that self-insured public entity programs be formed through an intergovernmental agreement between the participating entities. PACE's original Trust Agreement was adopted in 2006, updated in 2016 and the Trustees just completed a review and update of the Trust Agreement. The changes to the Trust Agreement were formally approved by the OSBA (Oregon School Boards Association) Board of Directors at their November 11, 2018 Board of Directors Meeting. Highlights of the Trust Agreement changes are:

- Updating language to remove the term "OSBA membership" and replacing the term with "participants" throughout the agreement. This enables charter schools continued participation with PACE.
- Adding the term Crime Coverage to the agreement. PACE offers this coverage to all participants.
- Correcting the composition of the PACE Trust Board to include employees of OSBA members on the Trust Board. Previously, the Trust Board composition wording limited the PACE Trust Board to only OSBA Board of Directors members.
- Moved operational and rule language from the Trust Agreement and placing it in the PACE Bylaws. Example of topics that were moved are Quorum, Telephone/Video Participation and Meetings of the Board of Trustees.

Since the new PACE Declaration of Trust has been

approved by the OSBA Board of Directors, it is necessary to have all the Trust Members have their boards, or their designee, adopt the Joinder of Trust Agreement to remain in compliance with Oregon law.

RECOMMENDATION: Recommend the Board of Directors adopt the Joinder of Trust Agreement so that the College can continue to participate in the PACE property and liability program.