

RESOLUTION NO. R21-119

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REQUESTING EXEMPTION FROM THE REQUIREMENT BY THE INDUSTRIAL COMMISSION OF ARIZONA TO POST SECURITY FOR THE CITY OF GLENDALE'S SELF-INSURED WORKERS' COMPENSATION CLAIMS.

WHEREAS, pursuant to A.R.S. §23-902, the City is subject to State Worker's Compensation Laws; and

WHEREAS, Glendale City Charter, Art. II, Sec. 1 empowers the City Council with all powers of the City, not in conflict with the Constitution and subject to the limitations of the Charter, and allows it to enact appropriate legislation and do and perform any and all acts and things which may be necessary and proper to carry out these powers or any of the provisions of the Charter; and

WHEREAS, pursuant to the approved revised rules of The Industrial Commission of Arizona dated April 4, 2005, Section R20-5-1114, the City may meet its statutory obligations by issuing a statement that the City of Glendale is a chartered Arizona municipality, is self-insured and has determined it has a fully-funded Worker's Compensation trust fund sufficient to cover actuarial liabilities for workers' compensation, and therefore requests an exemption from the requirements to post security for pending self-insured workers' compensation claims.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City of Glendale has a fully funded workers' compensation trust fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer pursuant to A.R.S. §11-981 and in accordance with Glendale City Code Sec. 2-215 and the Government Accounting Standards Board Statement #10

SECTION 2. That the City of Glendale provides funding to the workers' compensation trust fund each fiscal year sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Glendale City Code Sec. 2-215 and the Government Accounting Standards Board Statement #10.

SECTION 3. That based upon the above statements, the City of Glendale meets the conditions required under subsection (A) of The Industrial Commission of Arizona Section R20-5- 1114.

SECTION 4. That the City Manager or his designee shall immediately notify The Industrial Commission of Arizona and provide security as otherwise required by Section R20-5-1114 should the

workers' compensation trust fund have insufficient funds to cover all workers' compensation liabilities of the City of Glendale.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 23rd day of November, 2021.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager