

RESOLUTION NO. 4063 NEW SERIES

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 the approved revised rules of The Industrial Commission of Arizona dated April 4, 2005, Section R20-5-1114, a statement is required from the City of Glendale, a chartered Arizona municipality and duly qualified Arizona Workers Compensation self-insurer, requesting exemption from the requirements to post security for pending self-insured workers compensation claims.

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

SECTION 1. That the City of Glendale has a fully-funded worker's compensation trust fund sufficient to cover actuarial liabilities for workers compensation as determined by the self insurer in accordance with Glendale City Code Sec. 2-202(b) and the Government Accounting Standards Board Statement #10.

SECTION 2. That the City of Glendale provides funding to the worker's 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. 2-202(b) and the Government Accounting Standards Board Statement #10.

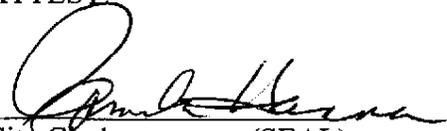
SECTION 3. That based upon the above statements, the City of Glendale meets the conditions required under subsection (A) of The Industrial Commission of Arizona Section R20-5-1114.

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 worker's 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 12th day of June, 2007.


MAYOR

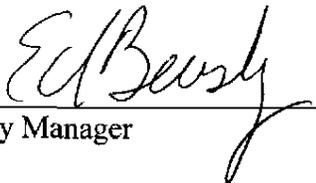
ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager

Arizona Administrative Registrar/Secretary of State:

R20-5-1114. Exemption from Requirement to Post Security

- A. Conditions to qualify for exemption. A public entity applicant or public entity self-insurer is exempt from the requirements under this Article to post or provide security if the public entity:
1. Has a fully-funded risk management fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10; and
 2. Provides funding to the risk management fund each year sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10.
- B. Written request for exemption. A public entity applicant or public entity self-insurer that requests exemption from posting security shall file a certified statement along with its Workers' Compensation Liability form with the Commission before the effective date of initial self-insurance or before the anniversary date, if a renewal, that contains the following:
1. A statement that the public entity meets the conditions required under subsection (A);
 2. A statement that the governing body of the public entity shall immediately notify the Commission and provide security required under this Article if the governing body learns that the risk management fund has insufficient funds to cover all workers' compensation liabilities of the public entity self-insurer;
 3. The signatures of a majority of the members of the public entities' governing body; and
 4. If the Commission has previously authorized the public entity to self-insure its workers' compensation obligations, a statement requesting the return of security previously posted or provided to the Commission, including a specific description of the type and amount of security previously posted or provided.