

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-58**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND EMPLOYEE SOLUTIONS GROUP [“ESG”] FOR SERVICES TO ACT AS ADMINISTRATOR OF EMPLOYEE BENEFIT PLANS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox Common Council shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 et seq.; and

WHEREAS, the CITY provides Health Insurance Plan for its employees and contracts with a Health Insurance Provider for that purpose; and

WHEREAS, the CITY has approved and adopted the Health Insurance Plan with Health Net, approved the ESG bid on April 5, 2010, and desires city staff to present the formal ESG contract documents to Mayor and Council for final approval and adoption; and

WHEREAS, ESG proposes to provide employee benefit package in the form of a Health Reimbursement Agreement Plan [“HRA”]; an expanded Flexible Spending Account Plan [“FSA”]; and third party administration of COBRA Plan; and

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona have determined that it is in the best interest of the CITY, its employees and the citizens of the CITY to enter into the Agreement with ESG as presented; and

WHEREAS, the CITY and the ESG desire to have this item presented at the Council Meeting on June 7th, 2010 for consideration and approval of the Agreement for the Contract period of July 1, 2010 to June 30, 2011; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely implementation of the ESG Plan Agreement, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and adopts the ESG Agreement for HRA, FSA and COBRA benefits, authorizes the Mayor to execute this Resolution and the Agreement and directs City staff to take necessary action to carry out the terms of the Agreement.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this ___7th ___ day of June, 2010

APPROVED/EXECUTED

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: June 8, 2010

ATTEST:

APPROVED AS TO FORM:

/s/ Cristina G. Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

/s/ Hector M. Figueroa
City Attorney, Hector M. Figueroa

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