

RESOLUTION NO. 2011-58

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE FY2011/2012 WORKER'S COMPENSATION RENEWAL CONTRACT BETWEEN THE CITY OF WILLCOX ("CITY") AND THE ARIZONA MUNICIPAL RISK RETENTION POOL ("AMRRP") AT AN ESTIMATED PREMIUM COST OF \$86,636 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the **CITY** is empowered pursuant to A.R.S. § 9-240 (A) and (B) to control the finances and property of the corporation; and

WHEREAS, pursuant to A.R.S. § 9-240, the Mayor and Council shall have the power to appropriate money to provide for the payment of its debts and expenses; and

WHEREAS, the **AMRRP** is a risk retention group chartered and licensed pursuant to A.R.S. § 20-2402 et seq.; and

WHEREAS, pursuant to A.R.S. § 23-902, the **CITY** is defined as an employer subject to the requirement that worker's compensation coverage must be provided to its employees; and

WHEREAS, the **CITY** has formally defined, for the purpose of Workers' Compensation and A.R.S. § 23-1022(D), the nature of the relationship that exists between themselves as employers when employees of one Party are participating in intergovernmental operations or activities within the jurisdiction of another Party or in cooperation with the employees of another Party as described in the IGA; and

WHEREAS, the **CITY** formally approved and adopted Resolution 2009-14 establishing compliance with A.R.S. § 23-1022(D); and

WHEREAS, the **CITY** desires to have this Resolution presented at its July 18th, 2011 Council meeting and has determined that approval of the **AMRRP** Renewal Contract is in the best interest of the **CITY**, its employees and its residents; 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 approval and acceptance of Worker's Compensation Coverage, and that this Resolution shall be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

Section 1: The approval of the **AMRRP** Renewal Contract, as described above, is in the best interests of the employees of the City of Willcox.

Section 2: The **CITY** formally approves and adopts the **AMRRP** Renewal Contract, by reference as if set forth herein in full, as outlined above in Resolution No. 2011-58.

Section 3: The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

Section 4: The Mayor is authorized and empowered to execute the **AMRRP** Renewal Contract and City officials are authorized and directed to carry out the intent of this Resolution on behalf of the **CITY**.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this 18th day of July, 2011.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: 07-20-2011

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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