

**RESOLUTION 7-2010**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF BENSON (CITY) AND THOSE PARTICIPATING PUBLIC AGENCIES AS DEFINED IN A.R.S §11-951 (PARTIES) FOR THE PURPOSE OF DEFINING WORKERS' COMPENSATION COVERAGE IN JOINT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE IGA**

WHEREAS, the CITY and the PARTIES are authorized to enter into this IGA pursuant to A.R.S. § 11-951 et seq.; and

WHEREAS, pursuant to A.R.S. § 11-951 et seq., the term "Public Agencies" shall include the federal government or any federal department or agency, Indian tribe, this state or any other state, all departments, agencies, boards and commissions of this state or any other state, counties, school districts, cities, towns, all municipal corporations, and any other political subdivisions of this state or any other state; and

WHEREAS, the CITY and the PARTIES desire to formally define, 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, this IGA becomes effective when executed by two or more Parties and shall remain in effect until written notification is provided to the Arizona Counties Insurance Pool, the Arizona Municipal Risk Retention Pool, the State Fund, or the Self Insured Providers of a Party's intent to withdraw from participation, or until a majority of the Parties agree in writing to terminate this IGA; and

WHEREAS, the CITY desires to have this Resolution presented at its January 25, 2010 Council meeting and has determined that approval of the IGA is in the best interest of the CITY and its residents.

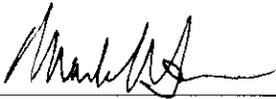
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson, Arizona, as follows:

Section 1: The approval of the IGA, as described above, is in the best interests of the residents of the City of Benson.

Section 2: The CITY formally approves and adopts the IGA with the PARTIES, by reference as if set forth herein in full, as outlined above in Resolution 7-2010.

Section 3: The Mayor is authorized and empowered to execute the IGA and City officials are authorized and directed to carry out the intent of the Agreement on behalf of the CITY.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA this 25th day of January, 2010.

  
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MARK M. FENN, Mayor

ATTEST:

  
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VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:

  
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MICHAEL J. MASSEE, City Attorney