1ST READING: 9/6/89
COMMITTEE: 9/13/89
D.P.: 7-0
2ND READING: 9/20/89
PASSED 7-0

ORDINANCE 89- 33

AN ORDINANCE TO ESTABLISH A SPECIAL
NON-REVERTING RISK MANAGEMENT FUND AND
TO CREATE THE DIVISION OF RISK MANAGEMENT
WITHIN THE DEPARTMENT OF LAW

WHEREAS, ever-increasing insurance costs have caused the City Administration to carefully review the City's premiums payments and loss history, resulting in the conclusion that the City should establish a Division of Risk Management and self-insure in the area of Worker's Compensation; and

WHEREAS, the Common Council has expressed support for such program prior to, and during the budget hearings for 1990; and

WHEREAS, the implementation of a RISK MANAGEMENT DIVISION will stabilize the costs of Workers' Compensation insurance via a self-insured program;

NOW, THEREFORE, BE IT ORDAINED BY THE BLOOMINGTON COMMON COUNCIL:

Section I. SPECIAL NON-REVERTING RISK MANAGEMENT FUND.

There is hereby established a special non-reverting fund to be known as the "Risk Management Special Non-Reverting Fund." Said fund is created for the purpose of setting aside monies, assessed on City Departments and the Bloomington Public Transportation Corporation, for the operation of the Division of Risk Management and the establishment of reserves for the payment of claims arising under the Risk Management program. Said fund shall be used exclusively for Risk Management functions, including but not limited to, the payment of personnel costs, procurement of supplies, capital expenditures, and the payment of approved claims. Unexpended monies contained in said fund at the end of the year shall remain in said fund and shall not revert into the general fund. All interest earned on said fund shall belong to the fund in its entirety.

Section II. Bloomington Municipal Code Chapter 2.21 Department of Law is amended to add the following:

2.21.100 Establishment - Division of Risk Management.

There is hereby created a Division of Risk Management which shall be responsible for the implementation of a comprehensive safety/loss prevention program, self-administration of the workers' compensation program, and processing and review of all City insurance-related matters.

2.21.110 Administration.

The Division of Risk Management shall be administered by the Risk Manager who is appointed by the Corporation Counsel, with approval of the Risk Management Committee, and reports to the Corporation Counsel.

2.21.120 Establishment - Risk Management Committee.

There is hereby created a Risk Management Committee which shall consist of the Corporation Counsel, City Controller, Director of Personnel, Director of Utilities, and Assistant Director of Finance/Utilities.

The Committee shall be convened at least quarterly for the purpose of reviewing claim statistics, and shall serve in an advisory committee to the Risk Manager in policy and financial decisions, in addition to the approvals of claim

settlement authority as defined in 2.21.130. The Risk Manager or his/her designee shall act as the secretary of the Committee and shall be responsible for preparing its agendas and providing the Committee with all applicable reports and documentation necessary to properly assess matters brought before the Committee.

2.21.130 Claim Settlement.

The Risk Manager is hereby authorized to settle claims for an amount not to exceed five thousand dollars ($5,000). All claims in excess of five thousand dollars shall be submitted to and approved by the Risk Management Committee prior to payment.

Section III. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section IV. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20TH day of SEPTEMBER, 1989.

James C Regester

JAMES C. REGESTER, President
Bloomington Common Council

ATTEST:

James McNamara

PATRICIA WILLIAMS, Clerk
City of Bloomington
James McNamara, Deputy Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21 day of September, 1989.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington
James McNamara, Deputy Clerk

SIGNED and APPROVED by me upon this 22 day of September, 1989.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance establishes a special non-reverting Risk Management Fund for the operation of the Risk Management Division and the payment of claims. Additionally, the Risk Management Division is created within the Department of Law; the Risk Management Committee is created; and the settlement authority for claims payment is established for the Risk Manager.

Signed copies to:
Auditor (certified)
Controller
Legal
Public Works
H.T.