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2 **BILL NO. G-12-02-05 (As Amended)**

3 **GENERAL ORDINANCE NO. G- 8-12**

4 **AN ORDINANCE AMENDING CHAPTER 37, SEC. 37.33**  
5 **OF THE MUNICIPAL CODE OF THE CITY OF FORT**  
6 **WAYNE.**

7 **WHEREAS**, General Ordinance G-18-89 established a Self-Insurance Fund  
8 for the administration of the self-insurance program for general liability and auto liability  
9 claims and other associated expenditures; and

10 **WHEREAS**, General Ordinance G-22-91 amended G-18-89 and established  
11 a separate Workers' Compensation Self-Insurance Fund for the administration of the self-  
12 insurance program for workers' compensation claims and other associated expenditures;  
13 and

14 **WHEREAS**, the combined fund to be known as the "Self-Insurance Program  
15 Fund" will be used to administer all costs in regards to general liability, auto liability, police  
16 professional and workers' compensation; and

17 **WHEREAS**, the City of Fort Wayne will engage the services of an actuarial  
18 consultant to recommend appropriate funding levels for each type of liability included in the  
19 "Self-Insurance Program Fund"; and

20 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF**  
21 **THE CITY OF FORT WAYNE, INDIANA:**

22 **SECTION 1.** There is hereby established a combined self-insurance  
23 program fund to be known as the "Self-Insurance Program Fund" effective January 1, 2012  
24 for the administration of all costs in regards to general liability, auto liability, police  
25 professional and workers' compensation.

26 **SECTION 2.** The expenditures from such fund shall be approved by the  
27 Board of Public Works in accordance with the established claim procedures as provided by  
28 law. The following expenditures shall be made from said fund:

- 29 1. Approved claims
- 30 2. Administrative costs for self-insurance program
3. Attorney fees incurred in defending claims

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4. Actuarial expenses

5. Any other related expenses

**SECTION 3.** The City Attorney shall review and pre-approve any claim in the amount of \$10,000 and above.

**SECTION 4.** The City shall retain the services of an independent actuarial consultant to annually recommend actuarially acceptable funding levels for said "Self-Insurance Program Fund". Council shall annually appropriate adequate funds to cover the self-insurance obligation after due consideration of the recommendations of an outside insurance or actuary analyst.

**SECTION 5.** Any appropriation made to establish and maintain said fund shall revert to the fund only, unless a statute provides otherwise.

**SECTION 6.** That in addition to the amount placed in the "Self-Insurance Program Fund" as recommended by the independent actuarial consultant pursuant to Section 4 of this ordinance, Council shall appropriate an additional sum after due consideration of recommendation by City Controller equal to the administrative cost of the self-insurance program.

**SECTION 7.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Council Member

APPROVED AS TO FORM AND LEGALITY

  
Carol Helton, City Attorney

Read the first time in full and on motion by Crawford and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at Room 030 - Council Discussion Garden Level - Citizens Square, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 2012, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,E.S.T.

DATED: 2-14-12

Read the third time in full and on motion by \_\_\_\_\_ PASSED \_\_\_\_\_ placed on its passage. by the following vote:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK  
Crawford  
\_\_\_\_\_ and duly adopted,

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	_____	_____	<u>2</u>
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>CRAWFORD</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	_____	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	<u>✓</u>
<u>HINES</u>	_____	_____	_____	_____
<u>JEHL</u>	<u>✓</u>	_____	_____	<u>✓</u>
<u>PADDOCK</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 2-28-12

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. 12-8-12 on the 28<sup>th</sup> day of February, 2012

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
[Signature]  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29<sup>th</sup> day of February, 2012, at the hour of 11:30 o'clock PM M.,E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29<sup>th</sup> day of FEBRUARY 2012, at the hour of 2:00 o'clock \_\_\_\_\_ M.,E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR