

1 Introduced by the Council President at the request of the
2 Jacksonville Aviation Authority:

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5 **ORDINANCE 2020-58-W**

6 AN ORDINANCE APPROVING AND AUTHORIZING THE
7 JACKSONVILLE AVIATION AUTHORITY TO WITHDRAW
8 FROM THE RISK MANAGEMENT INSURANCE PROGRAM
9 OPERATED BY THE CITY OF JACKSONVILLE, IN
10 ACCORDANCE WITH SECTION 128.106, *ORDINANCE*
11 *CODE*; PROVIDING FOR A RETURN OF JAA FUNDS;
12 PROVIDING FOR A PROSPECTIVE EFFECTIVE
13 WITHDRAWAL DATE; PROVIDING AN EFFECTIVE DATE.

14
15 **WHEREAS**, the Jacksonville Aviation Authority ("JAA") is an
16 independent authority of the City of Jacksonville, organized and
17 existing under Chapter 2001-319 Laws of Florida, as amended; and

18 **WHEREAS**, the JAA participates in the City of Jacksonville's
19 Self-Insurance Program, specifically in the automobile liability,
20 general liability and worker's compensation self-insurance program
21 as established by the City of Jacksonville Risk Management Code
22 ("Code"), Section 128.101, et. seq; and

23 **WHEREAS**, Section 128.106 (Withdrawal of Participating
24 Independent Agencies from the Self-Insurance Program), *Ordinance*
25 *Code*, provides the process by which a participating agency can
26 withdraw from the Self-Insurance Program; and

27 **WHEREAS**, the JAA Board of Directors, at its November 25, 2019
28 board meeting, approved Board Resolution 2019-02 authorizing JAA's
29 formal request to the City Council to withdraw from the Self-
30 Insurance Fund in accordance with the procedures set forth in
31 Section 128.106, *Ordinance Code*; and

1 **WHEREAS**, a Participating Independent Agency, once admitted to
2 participate in the Self-Insurance Program, may not withdraw from
3 the Self-Insurance Program without the consent of the City Council;
4 and

5 **WHEREAS**, the City Council's approval of such withdrawal shall
6 designate whether the withdrawing Participating Independent Agency
7 shall assume administration of their existing claims by agreeing to
8 assume control of, responsibility for, and payment of all existing
9 claims the City was administering in the Self-Insurance Program as
10 of the withdrawal effective date of the Participating Independent
11 Agency's withdrawal or pay the City for continued administration of
12 their existing claims by establishing a funding agreement; and

13 **WHEREAS**, pursuant to the City Council's election of the
14 withdrawing Participating Independent Agency to assume
15 administration of their existing claims or pay for City continued
16 administration, all funds being held by the City for the payment
17 and administration of the outstanding claims shall be returned to
18 the withdrawing Participant; now therefore

19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Receipt of JAA request to withdraw from**
21 **participation in the self-insurance plan and assume administration**
22 **of JAA claims.** The City of Jacksonville City Council is in receipt
23 of the JAA Resolution 2019-02, a copy of which is incorporated
24 herein and attached hereto as **Exhibit 1**. At the JAA November 25,
25 2019 Board meeting, the JAA Board of Directors authorized the
26 withdrawal of JAA from the Risk Management Self-Insurance program
27 operated by the City of Jacksonville and to assume administration
28 of JAA claims, in accordance with Section 128.106, *Ordinance Code*.

29 **Section 2. Approval and authorization for JAA to withdraw**
30 **from participation in self-insurance plan and assume administration**
31 **of JAA claims.** The City Council does hereby approve and authorize

1 the JAA to withdraw from the Risk Management Self-Insurance Program
2 operated by the City of Jacksonville and assume administration of
3 JAA claims, in accordance with Section 128.106, *Ordinance Code*. The
4 City Council's approval of such withdrawal recognizes the JAA
5 request to assume control of, responsibility for, and payment of
6 all existing claims the City was administering in the Self-
7 Insurance Program as of the withdrawal effective date.

8 **Section 3. Return of JAA funds.** The City Council does
9 hereby approve and authorize the return of JAA funds in the Risk
10 Management Self-Insurance Fund upon final calculation as of the
11 Withdrawal Effective Date in accordance with the procedures set
12 forth in Section 128.106, *Ordinance Code*.

13 **Section 4. Prospective effective withdrawal date.** In
14 order to allow JAA to comply with the administration assumption of
15 the JAA claims with an accurate accounting of funds to be returned
16 as of the withdrawal effective date, the Participating Independent
17 Agency's withdrawal shall be on the last day of the month
18 immediately following 30 days from the effective date of this
19 ordinance.

20 **Section 5. Effective Date.** This ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

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25 Form Approved:

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27 /s/ *Margaret M. Sidman*

28 Office of General Counsel

29 Legislation Prepared By: Margaret M. Sidman

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