

**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. 91-19**

**A RESOLUTION ADOPTING AND ENTERING INTO THE TRUST AGREEMENT
FOR THE COLORADO FIREFIGHTER HEALTH AND CIRCULATORY BENEFITS
TRUST AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH**

Recitals:

Under Part 3 of Article 5 of Title 29, Colorado Revised Statutes (C.R.S.), an employer as defined therein is required to maintain certain firefighter heart and circulatory malfunction benefits in accordance with and subject to the requirements and limitations of Part 3. In 2014 the City Council approved Resolution 47-14 which authorized the City to design and implement a firefighter heart and circulatory malfunction benefit program. Since then the City has provided the benefit by a self-insurance program.

For a number of reasons which include changes to the City's management of employee insurance and risk programs, the City has determined that joining and participating in a multiple employer health trust is now the preferred structure for providing the benefit.

The City Council has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and §§10-3-903.5, 29-1-201 *et seq.* and 29-5-301 *et seq.* C.R.S., as amended, to participate with other employers in a multiple employer health trust for the provision of benefits and for related claims handling, risk management, and other functions and services related to such benefits.

The City Council authorizes the City Manager to finalize and execute a Trust Agreement for the Colorado Firefighter Heart and Circulatory Benefits Trust, a copy of which is attached hereto as Exhibit A, by and through which the Members (as defined therein) desire to establish a trust (the "Trust") and provide a benefit plan that provides firefighter heart and circulatory malfunction benefits consistent with the provisions of Part 3 of Article 5 of Title 29, C.R.S., as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan (the "Plan"). By doing so the City Council amends Resolution 47-14 as necessary or required to conform to that direction.

The Trust and its members, together with the Plan, intend that each and all shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code Section 115.

The City Council hereby finds and resolves that membership and participation in the Trust and Plan would be in the best interests of the City of Grand Junction, its employees and its taxpayers and authorizes the City Manager to finalize and enter into a Trust Agreement for the Colorado Firefighter Heart and Circulatory Benefits Trust, and to take other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Grand Junction hereby:

1. Authorizes the City Manager to effectuate membership in the Colorado Firefighter Heart and Circulatory Benefits Trust.
2. Designates Melisa Geringer as its initial Member Representative to the Trust and designates Ken Watkins as its initial Alternate Representative to the Trust, such persons having the addresses stated below.
3. Representative Mailing Address: 250 N. 5th Street
Grand Junction, Colorado 81501
Representative Email Address: melisag@gjcity.org

Alternate Representative Mailing Address: 625 Ute Avenue
Grand Junction, Colorado 81501
Alternate Email Address: kenw@gjcity.org
4. With the adoption of this Resolution and subject to the terms of the agreement executed by the City Manager, the City will become a Member of the Trust, with its participation to commence effective as of the date determined in accordance with the Trust Agreement. The City Council, as the governing body of the City hereby requests, unless other dates are later designated by the City Manager, that coverage should begin on January 1, 2020 for the Colorado Firefighter Heart and Circulatory Benefits Plan.
5. Authorizes the City Manager, the City Attorney and the Manager's designees to take all such actions as the City Manager determines are necessary or appropriate with respect to City Participation in the Trust, including without limitation, designating successor Member Representative and Alternate Representative; requesting or canceling participation in any or all of the coverages under the Plan, and executing and delivering any documents relating to City participation in the Trust.

PASSED and ADOPTED this 18th day of December 2019

ATTEST:

W Winkelmann
City Clerk

C. S. Fred W. Zuma
Mayor Pro Tem

The seal of the City of Grand Junction, Colorado, is circular with a double border. The outer ring contains the text "CITY OF GRAND JUNCTION" at the top and "COLORADO" at the bottom. The inner circle features a silhouette of a bison facing left, with a sun or moon symbol above its head.