

## RESOLUTION NO. 123-07

### **A RESOLUTION AUTHORIZING THE CITY TO OBTAIN COMMUNITY SERVICE WORKERS ACCIDENT MEDICAL INSURANCE COVERAGE AND ESTABLISHING A MUNICIPAL COURT USEFUL PUBLIC SERVICE WORKERS INSURANCE FEE TO COVER THE COST OF THIS INSURANCE**

#### RECITALS:

Misdemeanants convicted in Grand Junction Municipal Court ("Court") are frequently ordered by the Municipal Court Judge to perform useful public service in the community.

Most convicted misdemeanants are referred to intermediary supervisory entities such as Partners, Inc. or Intervention, Inc. for supervision of the useful public service. These entities provide insurance coverage for community service workers while performing their sentences. The Court refers some defendants directly to various non-profit entities in the community where useful public service is performed.

It is desirable to protect these community non-profit entities from certain liabilities that are attendant to useful public service supervision and to provide limited coverage for injury in the course of the performance of useful public service.

It is desirable and reasonable to obtain such insurance and to pass the cost of it to the convicted misdemeanant in the form of a Municipal Court fee.

#### NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY GRAND JUNCTION THAT:

1. The City Council does find that the Colorado Intergovernmental Risk Sharing Agency ("CIRSA") makes insurance (presently known as the Community Service Workers Accident Medical Plan) available at a reasonable cost to municipal members. The City of Grand Junction is a CIRSA member.
2. The City is authorized to procure from CIRSA the Community Service Workers Accident Medical Insurance Plan (CSWAMP) or equivalent insurance coverage provided by CIRSA.
3. The Municipal Court is hereby authorized to collect the cost to the City of providing insurance covering useful public service workers.
4. A fee shall be assessed in each and every case in which an individual is ordered to perform useful public service outside of a contract, agreement or arrangement with an intermediary supervising entity (such as Partners or Intervention, Inc.).
5. The fee shall be known as the Useful Public Service Workers Insurance Fee (UPSWIF).
6. The amount of the fee shall be \$4.25 per person per conviction or the actual cost to the City of the insurance, as the same may change from time to time.

7. The UPSWIF amount may be increased without further action of the City Council.

PASSED and ADOPTED this 5<sup>th</sup> day of September 2007.

ATTEST:

/s/ Stephanie Tuin  
City Clerk

/s/ James J. Doody  
Mayor