PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 6, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold their regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, December 6, 2012.

City Council Closed Session
3:00p.m. Personnel, litigation and property

City Council Work Session

4:45p.m.	COSAC (Citizens Open Space Advisory Committee)	Pg. 4
4:55p.m.	Blue Ribbon Commission on the Soil Ordinance and Soil Disposal Options	Pg. 8
5:10p.m.	Risner Ridge Open Space Parcels	Pg. 12
5:50p.m.	Break	

City Council Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

IV NEW BUSINESS

1. Consideration of authorization of the following Insurance premium payments for the 2013 City Insurance placement covering a one-year period January 1, 2013 through December 31, 2013 in a form approved by the City Attorney Pg. 27

a) <u>$127,188.00:</u> Premium payment to States Self-Insurers Risk Retention Group, Inc. ("States") for public entity broad form excess liability insurance (including General Liability, Employment Practices Liability, Automobile Liability, Law Enforcement Liability, *Terrorism Risk Insurance Act** and Public Officials Error and Omission Liability);

b) <u>$4,276.00:</u> Premium payment to States Self-Insurers Risk Retention Group, Inc. ("States") for Potable Water Treatment Operations insurance supplement;

c) <u>$171,012.94:</u> Premium payment to Workers Compensation Fund ("WCF") for workers compensation insurance;

d) <u>$111,352.00:</u> Premium payment to Affiliated FM ("Affiliated") for property, boiler and machinery insurance; and

e) <u>$32,166.00:</u> Premium Payment to Zurich's for Cyber Liability.

(a) Public hearing

(b) Action

VI ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 12/3/2012
see: www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.

December 2012

13 Fleet Fuel Strategy – work KC
Water conservation – work (45 min) JC
Natural Gas Contract – work - budget JD
Prof. Services contract for the Main St. Streetscape Enhancement Project - MT
Business recruitment and attraction – study BH
Project Management Scope RDA – work, JW
2460/2520 Sunny Slopes Drive – Plat Amendment – Francisco – New
2550 Deer Valley Drive – Plat Amendment – Francisco - New
1400 Deer Valley Drive – Plat Amendment – Francisco - New

20 RMP substation expansion/relocation – work, 1.5. MC
LMC Amendments – regular KW
City / County Open Space Agreement – work, HD
Interlocal – consent, Jon P

27 **Holiday recess**

January 2013

3 **Holiday recess**

10 Legislative Preview – 20 DF
Resolutions setting forth annual meeting dates and appointment of officers
Appointment of Mayor Pro Tem
Appointment to EDTAB
City Park Tennis Subdivision - Francisco

17 **No meeting - Sundance**
24
31

February 2013

7
14
21
28

Pending Items:

Wasatch Front and Back mountain resort expansions – Mayor Becker team
Latino Community outreach and engagement – study
RDA and other economic districts strategic plan
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety
Community bulk solar – TP
Visioning w/City - Phyllis
Visioning w/County - Phyllis

City Council
Staff Report

Subject: **DRAFT Resolution to Create COSAC IV**
Author: **Heinrich Deters**
Department: **Sustainability Department**
Date: **December 6, 2012**
Type of Item: **Informational**

Summary Recommendations:
Council should direct staff to publically notice the at large Citizens Open Space Advisory Committee (COSAC) positions and review the attached draft resolution per the creation of the Committee.

Topic/Description:
Creation of a public advisory committee

Background:
Council has the ability to create and appoint board members to help Council reach specific goals. Examples of these committees include the Recreation Advisory Board (RAB), the Public Art Advisory Board (PAAB) and COSAC.

Park City has a long standing commitment to the preservation of recreational open space. The City has sponsored three open space initiatives, culminating in $40 million of voter approved measures. For each bond measure, 1998, 2002 and 2006, Council established a citizen's advisory committee, COSAC I, II and III, made up of local stakeholders and at large participants. Each committee established a mission statement and evaluation criteria for parcel prioritization, as well as, reviewed previous committee purchases.

Analysis:
COSAC Role and Mission
COSAC's role is purely advisory to City Council and is not in any way mandated by law or ordinance. Members serve at the discretion of Council and are traditionally appointed for a three year term.

COSAC's mission is to make timely recommendations to City Council on acquiring and permanently preserving public open spaces by wisely leveraging public funds and other resources as available and entering into appropriate partnerships.

COSAC liaisons and appointments
If Council directs staff to return to Council at a later date for possible adoption of the attached draft resolution, staff would work to create the committee through an at large application process, as well as, outreach to the following groups/entities that have traditionally held seats on the committee:

- Mountain Trails Foundation (MTF)

- Summit Land Conservancy (SLC)
- Basin Open Space Advisory Committee (BOSAC)
- Park City Chamber of Commerce & Visitors Bureau
- Park City Board of Realtors
- Recreation Advisory Board (RAB)
- Park City Planning Commission
- Park City Council (2 members)

If Council wishes to include representatives of each of these groups, it is recommended that each group select one member to represent the identified group/entity and also identify an alternate.

COSAC at-large representatives
Traditionally, COSAC has had up to ten at-large members from the public. Staff would like Council to provide direction on the number of at-large committee members they feel is appropriate for COSAC IV. Staff could specify the membership makeup in the Resolution, in accordance with Council direction.

Code of Ethics and Disclosure Affidavit
Selected members of the committee will be required to review and familiarize themselves with the City's a code of ethics, in addition to signing a disclosure affidavit.

COSAC funding: Bond vs. Sales Tax initiative
Traditionally, COSAC has been funded by City open space bonds, which were derived from a tax burden specific to residents within Park City limits. Thus, at-large committee members were required to be Park City residents. In the case of COSAC IV, the funding source is related to the Resort City Sales Tax initiative passed on November 7, 2012. This tax is not specific to only Park City residents, hence, staff would like Council direction on whether they would like to continue to require applicants to be residents of Park City or possibly open the pool to a wider audience.

Department Review:
This report has been reviewed by members of the Sustainability, Legal and Executive Departments.

Alternatives:

A. Approve:
Council should review the attached draft resolution creating COSAC IV and provide staff with direction to procure at-large applications

B. Deny:
Council could choose not to form the Committee

C. Modify:
Council could choose to modify the resolution or the forming of the Committee

D. Continue the Item:
Council could continue the item

E. Do Nothing:
Same as continuance

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Balance between tourism and local quality of life + Multi-seasonal destination for recreational opportunities + Internationally recognized & respected brand	+ Abundant preserved and publicly-accessible open space + Managed natural resources balancing ecosystem needs	+ Community gathering spaces and places	+ Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	Very Positive ⬆	Positive ⇧	Positive ⇧
Comments:				

Funding Source:
No funding is required for this item

Consequences of not taking the recommended action:
Council may choose not to establish the advisory committee and instead evaluate and designate open space acquisitions without a public committee.

Recommendation:
Council should direct staff to publically notice the at large Citizens Open Space Advisory Committee (COSAC) positions and review the attached draft resolution per the creation of the Committee.

Exhibit A- DRAFT Resolution

RESOLUTION TO APPOINT A CITIZEN'S ADVISORY COMMITTEE TO ADVISE THE COUNCIL ON COMMUNITY PRIORITIES FOR OPEN SPACE ACQUISITION AND METHODS TO PERMANENTLY PRESERVE OPEN SPACE

WHEREAS, Park City is surrounded by large expanses of privately owned and undeveloped properties;

WHEREAS, Council has a goal to acquire abundant, preserved and publically accessed open space throughout and around Park City;

WHEREAS, Council has a goal to provide opportunities to promote an engaged and informed community;

WHEREAS, Park City has a long standing commitment to the preservation of natural resources within the community;

WHEREAS, On November 7, 2012, Park City voters supported a .05% increase in the Resort City Sales Tax, which will provide an ongoing funding source for the acquisition of additional open space;

WHEREAS, Clear communication and coordination between local non-profits, committees and organizations and the City Council is vital to the overall success and fabric of the Park City community.

NOW THEREFORE, be it resolved by the Park City Council as follows:

1. The City Council will appoint a citizen's advisory committee, to be referred to as the Citizen's Open Space Advisory Committee (COSAC), to advise and make recommendations to City Council on the acquisition and preservation of Open Space.

This Resolution shall become effective upon adoption, dated this ___th day of December, 2012.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Dana Williams

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

____

Mark D. Harrington, City Attorney

City Council
Staff Report

Subject: **Proposed Blue Ribbon Commission on the Soil Ordinance and Soil Disposal Options**
Author: **Joan Card and Jim Blankenau**
Department: **Sustainability**
Date: **December 6, 2012**
Type of Item: **Work Session**

Summary Recommendations:

Staff recommends that the Mayor, with the advice and consent of the Council, appoint a Blue Ribbon Commission on the Soil Ordinance and Soil Disposal Options to examine the Soil Ordinance and the environmental and economic challenges of managing soils impacted by historic mine and mill waste. The Commission would be charged to make recommendations to the Mayor and Council regarding any proposed changes to the Soil Ordinance and options for managing and disposing mine waste impacted soils. The Commission would be appointed in January 2013, participate in 4-6 weekly meetings, and deliver a report and recommendations to the Mayor and Council in late Spring.

Topic/Description:

The Park City Landscaping and Maintenance of Soil Cover ordinance (Park City Municipal Code 11-15-1), known as the Soil Ordinance, and defines the management of mine and mill-impacted soil, and disposal options.

Background:

In the early 19th Century, Park City was a thriving silver and lead mining community. Dozens of mine companies operated here in underground mines. Silver, lead, and to a lesser degree, copper and zinc were mined and milled in town. Bounties of these hard rock minerals were recovered, milled, separated, and sent into commerce. Consequently, underground mining, including the construction of tunnels and shafts resulted in waste rock piles, and milling (the grinding of the ore) resulted in tailings, the sandy, fine waste resulting from the milling process. Tailings contain high amounts of concentrated metals.

Massive amounts of milled ore resulted in massive amounts of tailings. The standard of the day was to discard the tailings into the watershed. Streams were used to transport the tailings away from mining and milling operations. In the earliest years, tailings were discarded into Ontario, Empire Canyon, and Silver Creeks and transported as far downstream as Wanship and beyond. When the tailings interfered with downstream irrigation efforts the mine companies began to dam the tailings in what is known as the "Prospector" neighborhood. This became the tailings pond now known as Silver Creek Tailings. Tailings also were dammed at Richardson Flat.

In about 1983, the U.S. Environmental Protection Agency (EPA) became interested in the Silver Creek Tailings soon after the federal "Superfund" law was enacted by

Congress to address historic contamination. The Prospector area was private land, subdivided for homes and businesses by the late 1970s. While EPA determined to “list” Silver Creek Tailings on the Superfund National Priorities List, local efforts were made to avoid such a listing, and ultimately, an Act of Congress prevented the listing of Silver Creek Tailings as a National Priorities List Superfund site. However, through that period and later, EPA and Park City worked to study any human health issues and take steps to protect human health at the Silver Creek Tailings site. In 1985, Park City created a special services district to place a clean soil cap on vacant properties in Prospector. In July 1988 EPA concluded that people were not exposed to lead and other heavy metals, and, in about December 1988, Park City enacted the first generation of what is now known as the Soil Ordinance.

In its simplest terms, the Soil Ordinance requires that landowners within a specified boundary—Prospector and much of Old Town—maintain a 6-inch clean soil cover or “cap” on their property to minimize any exposure to lead and other heavy metals. In addition, any soil from within the boundary excavated for disposal must be taken to a facility approved for the disposal of soil commingled with mill tailings. In 2005, Park City and the United Park City Mines Company entered a Memorandum of Understanding, which was consistent with the 2005 EPA Record of Decision relating to the remediation of the Richardson Flat Superfund site, to allow soil from Park City’s Soil Ordinance Boundary to be disposed there.

After several hundred thousand cubic yards of soil was hauled and disposed at Richardson Flat, Park City was notified by the mining company and EPA, in May 2010, that soil from the Soil Ordinance Boundary could no longer be disposed at Richardson Flat. Park City was informed that EPA was prioritizing the Richardson Flat repository for tailings from the Silver Creek floodplain, as they apparently intended for the mine company to lead a cleanup action that involved removing some or all of the tailings from the Lower Silver Creek floodplain to restore stream water quality there.

By May 2010, Park City Municipal was in the midst of constructing major improvements at the Public Works facility on Iron Horse and two large walkability projects—the Kearns and Bonanza tunnels. As a result of EPA’s decision, Park City engaged in active negotiations with EPA, in a format defined by EPA, which soon involved the mine company, to attempt, among other things, to resolve the immediate problem of soil disposal for the ongoing municipal projects, as well as for the community in the longer term. While a temporary solution was determined for the ongoing municipal projects, despite active negotiations among EPA, Park City and the mine company, the parties were unable to reach an agreement that resulted in a workable soil disposal option for soil from Park City’s Soil Ordinance Boundary.

Analysis:

At least since the early 1980s, Park City Municipal has taken a share of responsibility for the community’s mining and milling legacy. Park City continues to work to help ensure the health of the community through the enactment and enforcement of the Soil Ordinance and an Environmental Management System that minimizes human exposure to soil contamination. In the 2000s, Park City participated actively in an EPA-lead watershed stakeholder effort to address soil and water quality issues, and Park City engaged the United Park City Mines Company to negotiate the 2005 MOU that allowed for disposal of soil from Park City's Soil Ordinance Boundary at Richardson Flat at low cost.

In the wake of the robust negotiations between 2010 and 2012, which failed to result in a longer-term solution for low cost disposal of soil from Park City's Soil Ordinance Boundary, staff is recommending the municipality reach out to the larger community for assistance and advice. The Blue Ribbon Commission concept will facilitate the identification of interests and experts in the issue. Staff anticipates the following sectors would be represented on the Commission:

- Environmental
- Health
- Commercial
- Residential
- Real Estate
- Resort
- Construction

Staff anticipates the Commission will address the following topics:

- Soil Ordinance Purpose
- Soil Ordinance Boundary
- Soil Ordinance Standards
- "De Minimus" Exemption
- Disposal Needs
- Disposal Options
- Public Private Partnerships

The Blue Ribbon Commission effort should result in an educated, well-vetted, public process and report that will inform the municipality and the community as a whole, and facilitate Council direction on the topic in the future.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	Provide Amenities, Facilities, Trails & Infrastructure	Mitigate Mining Legacy Including Mine Waste, Soils and Physical Hazards	Retain & Attract Diversified Business Types	Facilitate Citizen Engagement, Public Participation and Timely Communication
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive	Positive	Positive	Positive

Department Review:

This report was reviewed by Legal and Executive Departments.

Funding Source:

The Blue Ribbon Commission effort will be of minimal cost. Staff will provide support to the Commission on staff time and no professional services will be procured. Any ancillary costs of meeting will be funded by the existing meeting budget in the Environmental Regulatory department.

Consequences of not taking the recommended action:

Staff recommends the creation of the Blue Ribbon Commission to ensure a broad, inclusive, and thorough analysis of the soil issues facing the community and the potential solutions. The environmental and economic challenges presented by Park City's mining legacy do not belong to the municipality alone and cannot be addressed best by the municipality alone. If municipal staff alone makes recommendations, the City risks failure to explore a full suite of options and policy choices.

Recommendation:

Staff recommends that the Mayor, with the advice and consent of the Council, appoint a Blue Ribbon Commission on the Soil Ordinance and Soil Disposal Options to examine the Soil Ordinance and the environmental and economic challenges of managing soils impacted by historic mine and mill waste. The Commission would be charged to make recommendations to the Mayor and Council regarding any proposed changes to the Soil Ordinance and options for managing and disposing mine waste impacted soils. The Commission would be appointed in January 2013, participate in 4-6 weekly meetings, and deliver a report and recommendations to the Mayor and Council in late Spring.

City Council
Staff Report

Subject: **Risner Ridge Open Space Parcels**
Author: **Heinrich Deters**
Department: **Sustainability**
Date: **December 6, 2012**
Type of Item: **Administrative**

Summary Recommendations:
Staff recommends Council review and discuss Summit Land Conservancy's (SLC) request to grant conservation easements on approximately 53 acres of City-owned open space property located near Risner Ridge. (Exhibit A) Staff recommends that Council provide direction to extend existing deed restrictions onto the parcels without deed restrictions and maintain municipal ownership.

Topic/Description:
The granting of conservation easements on city-owned open space parcels.

Background:
Acquisition
Park City Municipal acquired several platted open space parcels above Park Meadows, in the Risner Ridge area, via the Quarry Mountain Master Planned Development agreement (1994), and specifically, the Eagle Pointe subdivision process, between 1994 and 2004. Differing characteristics of the parcels are attributed to the 'phases' of the development.

Additionally, the City acquired the 7.83 acre parcel (PCA-2-2100-4-A-X) in 1992 from Arnold Industries Inc., formally known as Arnold Resorts Inc., via a Quit Claim in what staff believes to be a development agreement associated with Park Meadows and the American Saddler waterline.

All of the property is zoned Recreational Open Space with several public trails and trailheads within the area.

In the fall of 2010, staff was contacted by a representative of the Risner Ridge home owner's association regarding the status of the open space lots within the subdivision. When it was determined that some of the lots were protected with a deed restriction prohibiting building and others were not, staff recommended petitioning the City Council to have the deed restriction extended to the lots that were not protected as such. After sending a letter in October 2010 (Exhibit B), staff did not hear back from the Risner Ridge HOA representative. The deed restriction was not extended onto the parcels without a deed restrictions.

In 2011, SLC was contacted by a several residents of the Risner Ridge neighborhood who wanted to ensure adjacent city-owned parcels would remain as open space. SLC and the resident's discussed options, which included placement of conservation easements on the parcels, as well as, the costs associated with the process, monitoring and stewardship of the proposal.

This past summer, SLC and a few Risner Ridge residents met with City staff, to discuss options available to ensure the open space remains undeveloped, in addition to, seeking clarity on what restrictions were already in place. In that meeting City staff explained the 2010 inquiry and that staff would provide a positive recommendation to Council if the neighborhood was interested in extending the deed restriction. As a product of the meeting, City staff requested that SLC and the applicable home owner's association's work together with the intent of demonstrating the neighborhood's collective support for a Council proposal. The Risner Ridge HOA, with the assistance of SLC, sent out mailers and went door to door and collected 143 petition signatures within the neighborhood. Petition language for the proposal has been provided below On August 24th, Summit Land Conservancy director Cheryl Fox formally requested that the Council review the easement proposal.

I/We the undersigned support the permanent preservation of the Risner Ridge open space parcels through the use of conservation easements. I/We understand that other protections are currently in place on these parcels, but we encourage Park City to take all steps possible to insure that these properties remain open and undeveloped for the future.

Analysis:
It is important to outline the process in which the City acquired these parcels, as well as, any restrictive covenants associated with the individual parcels. Staff has provided a matrix below, dictating each parcel and subsequent restrictions.

Parcel/Acres	Acquisition	Zoning	Other Restrictions
EP-I-A-X 5.78 acres	1995	ROS	Platted 'non-buildable lot' & Deed Restricted
EP-II-B-X 7.28 acres	1997	ROS	Platted 'non-buildable lot' & Deed Restricted
EP-IV-A-X 10.89 acres	2004	ROS	Platted 'open space'
EP-IV-B-X 21.92 acres	2004	ROS	Platted 'open space'
PCA-2-2100-4-A-X 7.83 acres	1992	ROS	none

Eagle Pointe Subdivision Process
Several parcels identified above were dedicated to the City as part of the public benefit obligations of the Eagle Pointe subdivision process. Earlier dedications (EP-I-A-X & EP-II-B-X) included deed restrictions, while later dedications were simply transferred as platted open space to the City. Staff believes that the intent of the later dedications as

open space was established but the formal drafting of the deed restrictions were simply overlooked by the developer.

American Saddler Waterline Parcel (PCA-2-2100-A-X)
Arnold Industries Inc. transferred deed of this 7.83 acre parcel in what appears to be an obligation associated with the development of Park Meadows. Specifically, it seems that the parcel was integral to the implementation of the American Saddler waterline, which provides water to adjacent parcels.

Granting an easement on City-owned open space parcels
Staff maintains the position that the granting of conservation easements on parcels with existing restrictive covenants, such as deed restrictions is a ‘redundant’ application. Furthermore, Staff finds that conservation easements should be primarily considered at the time of the properties acquisition, where all relevant parties can identify and agree upon the process to preserve identified conservation values.

Primary goals of conservation easements
Conservation easements, as a tool, are most often utilized to preserve open lands with specific ‘natural values’, while providing a grantor tax benefits. Tax benefits, are contingent, per IRS code, on several factors including the perpetuity of the easement. Furthermore, easements can be utilized to stretch funding sources by placing an easement on a parcel without actually purchasing title. Staff does support the use of conservation easements where specific ‘values’ need to be addressed above and beyond deed restrictions and planning regulations. Staff cautions that by utilizing easements on inappropriate parcels, such as these, Council may be unknowingly giving up “permitted open space uses” which would otherwise be allowed.

The parcels that do not currently have deed restrictions are small parcels within a residential setting. While they are important to the neighbors as open space, they do not represent the significant public value of Round Valley or the land surrounding the McPolin Barn.

Protections and process in place
In short, the City would have to receive new title without the deed restrictions and an amendment to the existing MPD, a zone change and a plat amendment would be required. Additionally, any tax benefits and density issues would need to be addressed. Staff finds that this process sufficiently ensures that development of these parcels is sufficiently prohibited (provided the deed restrictions are extended to all parcels as recommended by staff).

Staff asserts the real issue is what are the allowed public uses of the property consistent with the deed restrictions and open space zoning. Staff firmly recommends that such uses are determined by a public process and by a body accountable to the public. There is a fundamental difference between a legal instrument intended to prohibit an undesired use (deed restriction prohibiting buildings- residential or commercial density) compared to a conservation easement which usually restricts the land to existing baseline conditions/conservation values unless certain uses are expressly defined and reserved as permitted uses at the time the easement is granted).

Middle Ground Option
If Council wishes to provide the public with additional measures to prevent development of the parcels currently free of deed restrictions, it should simply place deed restrictions, with appropriate language, on the parcels.

Parcel/Acres	Acquisition	Zoning	Council Option
EP-I-A-X 5.78 acres	1995	ROS	Property is properly protected
EP-II-B-X 7.28 acres	1997	ROS	Property is properly protected
EP-IV-A-X 10.89 acres	2004	ROS	Place additional deed restriction language
EP-IV-B-X 21.92 acres	2004	ROS	Place additional deed restriction language
PCA-2-2100-4-A-X 7.83 acres	1992	ROS	Place additional deed restriction language

Finally, staff finds that funds earmarked by some of the Risner Ridge residents may be best served as a donation to Summit Lands Conservancy specifically for the acquisition of new open space in the area, or donated to the City for specific, permitted amenities or maintenance of the property. Paying for a conservation easement endowment on property already protected as open space is like tying up cash for a public improvement guarantee/bond when the public improvement is already constructed.

Department Review:
This report has been reviewed by the Legal, Planning, Sustainability and Executive Departments

Alternatives:
Option 1: Allow the neighbors to fund the conservation easement on city-owned open space. Granting of the easement should be expressly conditioned that the City under no circumstances is responsible for endowment funding (this is acknowledged in the request letter). Council must provide direction what specific reserved uses the City needs to retain.
Option 2: Allow the neighbors to fund the conservation easement on the property, but require the neighborhood/HOA to purchase the property (so they will have long-term maintenance responsibility)
Option 3: Extend the existing deed restrictions onto the parcels without deed restrictions and maintain municipal ownership **(This is the staff recommendation.)**

Option 4: Extend the deed restrictions and sell or give the property to the HOA for long-term maintenance

Significant Impacts:
While allowing the neighbors to use their own funds to place a conservation easement on land owned by the public may not seem significant, it does set a precedent. Additionally, staff believes that the same intent of protecting the land from development could be achieved by extending the deed restriction to the parcels without deed restrictions and the funds raised by the neighbors donated to Summit Land Conservancy for additional open space acquisition or open space monitoring.Staff is also concerned that allowing neighbors to fund a conservation easement could create a perception of "our open space" and could result in a higher level of service being demanded for weed maintenance or other open space maintenance responsibilities of the City.

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	~ Accessible and world-class recreational facilities, parks and programs	~ Abundant preserved and publicly-accessible open space ~ Managed natural resources balancing ecosystem needs	~ Entire population utilizes community amenities	+ Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Neutral ⇔	Neutral ⇔	Neutral ⇔	Very Positive ↑
Comments:				

Funding Source:
No additional funding is being sought.

Consequences of not taking the recommended action:
Staff requires Council direction to provide the Summit Land Conservancy and the associated Risner Ridge HOA with an answer to their proposal.

Recommendation:
Staff recommends Council review and discuss Summit Land Conservancy's (SLC) request to grant conservation easements on approximately 53 acres of City-owned open space property located near Risner Ridge. Staff recommends that Council provide direction to extend existing deed restrictions onto the parcels without deed restrictions and maintain municipal ownership.

Exhibit A- Proposal

WE SAVE LAND

August 24, 2012

Mayor Dana Williams and members of the Park City Council:

As most of you know, the Summit Land Conservancy was contacted in 2011 by several residents of the Risner Ridge neighborhood of Park Meadows who wanted to insure the permanent protection of the open space located on five city-owned parcels near their property. The Conservancy spoke with City staff and understood that the City did not wish to spend the money required to cover the transaction costs of placing an easement on the properties, nor did it wish to fund the stewardship endowment that the Conservancy would require.

When informed of this as well as of the estimated costs, the neighbors agreed to help the Conservancy raise the necessary funds, if the City would agree to grant an easement on the parcels.

Over the course of 2012, the Conservancy's staff has had several meetings with City staff, including Heinrich Deters and Diane Foster, to discuss this project. The City staff also participated in a meeting with the Conservancy and several neighbors. At that meeting, the City was clear that there were already zoning restrictions on the property as well as deed restrictions on two of the parcels. Additionally, the City staff explained that a deed restriction could be used to accomplish a similar purpose as conservation easement.

At the request of City staff, the Conservancy met with the members of the three HOA's whose neighborhoods border the five parcels. The Conservancy made it clear that there are other options for protecting these lands as open space beside permanent conservation easements. In each case, however, the HOA boards felt that an easement would be the best option.

Again, at the request of City staff, the three HOAs sent a mailing to all of the property owners with a letter explaining the proposal to place these five parcels in a conservation easement. These letters also included a petition form that homeowners could return. As of August 24th, the Conservancy has received 143 signatures of homeowners who support placing these properties in permanent conservation easements. Copies of these petitions have been submitted to City staff.

The Conservancy received no objections from anyone to the proposal to place these lands in easements. A copy of the letter that was sent to Risner Ridge HOA members is attached to this letter. The three HOAs coordinated their letters so that each said essentially the same thing and they were all mailed at the end of July 2012.

At this time, the Summit Land Conservancy would like to respectfully request that the City Council consider granting the Conservancy a permanent conservation easement on the five Risner Ridge properties. If the City agrees to place these lands in an easement, the Conservancy will initiate a fundraising campaign to cover our transaction costs as well as the stewardship and legal defense endowments necessary. The Conservancy will not expect the City to contribute funds to this campaign.

These five parcels are important to the residents of Park Meadows as they provide wildlife corridors through this suburban neighborhood. Furthermore, these five parcels provide important trail connections to the adjacent Round Valley open space. These slopes and hillsides are also important view corridors for the Park Meadows neighborhoods.

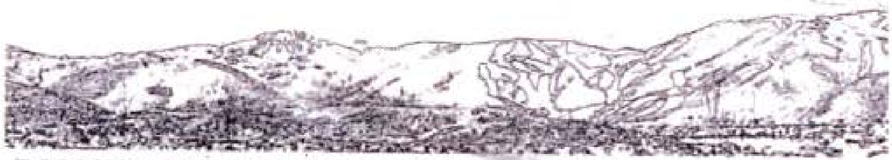
The Conservancy staff and its Risner Ridge subcommittee would like to meet with you to discuss this project further.

We look forward to working with you to continue your strong legacy of protecting local open space.

Yours truly,

C Fox

Cheryl Fox
Executive Director



RISNER RIDGE HOMEOWNER'S ASSOCIATION

July 23, 2012

From: Your Board of Trustees

To: Our Homeowner Members

Re: Summit Land Conservancy Project Adjacent to Risner Ridge

We want to update you on a project spearheaded by the Summit Land Conservancy (SLC) to protect five parcels of City-owned land adjacent to or nearby our Risner Ridge subdivisions. The total land involved is 53 acres and *includes the trailheads on both Ashley Court and Meadows Drive*. A map is enclosed showing the five locations colored in pink.

According to the City's Environmental Sustainability Manager, "some of these were deeded to the City by developers as part of the subdivision process and others appear to have been dedicated/transferred to the City likely during or following the original development process."

The current zoning is Recreation and Open Space on all five parcels, with Special Warranty Deeds on just two of them. However, there is no permanent protection to prevent the City from changing the zoning and deeds in the future or using or selling the properties for development.

Accordingly, SLC has committed to petitioning the City to put conservation easements on the parcels to ensure the 53 acres remains Open Space in perpetuity.

Your HOA Board supports this endeavor and encourages the City to grant the Conservancy's request. As part of this process, SLC will be conducting a charitable drive to fund the endowment trust to manage the lands. The Board agrees this project is in our members' best interest and encourages interested homeowners to contribute to the fund raising when it commences.

In order to judge the interest of homeowners in HOAs adjoining these parcels, the City has asked us to circulate a petition that people who support placing permanent conservation easements on these parcels can sign. This petition will be circulated in our neighborhoods in the month of August. You can also indicate support by returning the enclosed card supplied by the SLC.

We encourage all of our homeowners to support this project in whatever way you can to ensure these lands remain a vital part of dedicated Open Space for Park City at large and Risner Ridge in particular. If you have any questions about the Summit Land Conservancy project, please contact their Executive Director Cheryl Fox at 649-0220.

ONE ASHLEY COURT
PARK CITY, UTAH 84060

MAP SHOWING FIVE PARCELS

Map showing the five parcels:

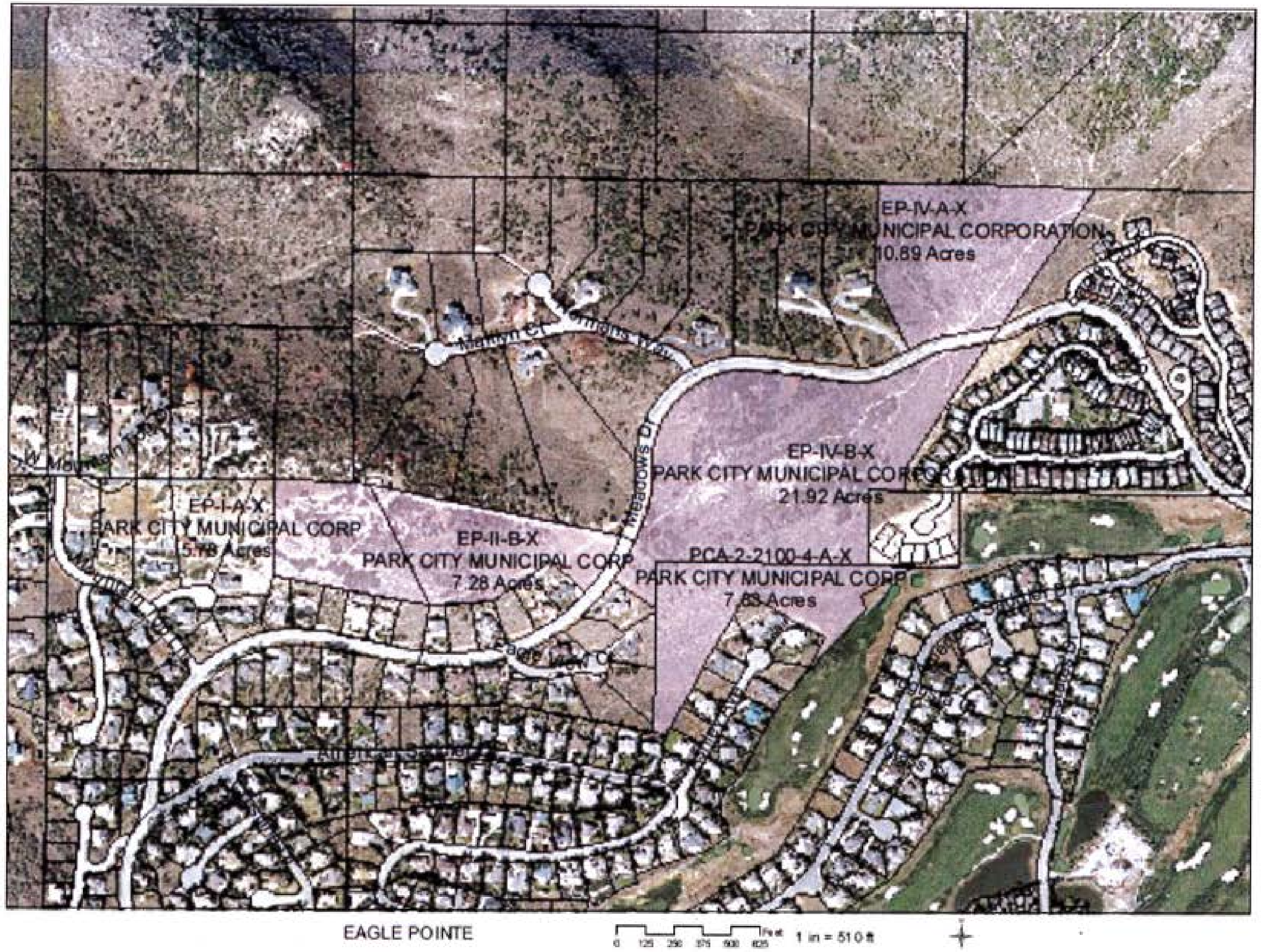


Exhibit B- October 2010 Letter with Existing Deed Restrictions

PARK CITY
1884

October 13, 2010

Mr. Paul Boyer
Secretary-Treasurer
Risner Ridge Homeowners Association
One Ashley Court
Park City, UT 84060

Dear Mr. Boyer –

This letter is in response to your inquiry regarding City-owned parcels that are in the area of your home on Ashley Court.

City-owned Parcels

As you will see from the attached map, the City owns five parcels in that general vicinity. Some of the parcels were deeded to the City by the developer as part of the subdivision process and other parcels appear to have been dedicated/transferred to the City likely during or following the original development process.

The parcels owned by the City are shown in the attached map.

Zoning

Currently, all five parcels is found in the Recreation and Open Space (ROS) District (zone). The purpose of the ROS District is to:
A. establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
B. permit recreational Uses and preserve recreational Open Space land,
C. encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
D. preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
E. encourage sustainability, conservation, and renewable energy.

For a complete list of allowed uses, administrative conditional uses, and conditional uses please see the following link
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=136

Warranty Deeds

Parcels EP-I-A-X and EP-II-B-X both have Special Warranty Deeds associated with them that specifically restrict building on the parcel as well as specify that the property will be maintained with the natural qualities of open space. The deeds are attached, following the map.

The other three parcels do not have any of this type of restriction associated with them, however it is likely that the plat dedication and/or development approvals similarly restrict development on the parcels.

Question about Petitioning the City to Change Designation

In your email you asked about the "procedures for interested citizens to petition the City to change the designation of this City-owned land and transfer it into the Open Space program?"

By open space program, I assume you mean the third party conservation easements. These are currently placed only on property acquired by open space bond funds. A citizen may request that the City Council place a conservation easement on any other City property by simply petitioning the Council by letter. Staff would provide both a planning and cost/benefit analysis in making a recommendation.

If you would like further assistance, please do not hesitate to contact me.

Sincerely,

Diane Foster

Diane Foster
Environmental Sustainability Manager

WHEN RECORDED, MAIL TO:
CITY RECORDER
PARK CITY MUNIC. CORP.
P.O. BOX 1480
PARK CITY, UT 84060

SPECIAL WARRANTY DEED

EAGLE MOUNTAIN PARTNERS, L.L.C., a Utah limited liability company, grantor, hereby CONVEYS AND WARRANTS against all claiming by or through grantor, to PARK CITY MUNICIPAL CORPORATION, grantee, for the sum of TEN AND NO/100THS DOLLARS ($10.00) and other good and valuable consideration, the following described tract of land in Summit County, State of Utah:

LOT A, as set forth on the official Record of Survey Map for
EAGLE POINTE SUBDIVISION, PHASE I, Park City, Summit County, Utah.

SUBJECT TO THOSE DEED RESTRICTIONS CONTAINED IN EXHIBIT "A" HERETO, AND THOSE ENCUMBRANCES AND RIGHTS OF WAY OF RECORD.

DATED this 11 day of December, 1995.

00444360 Bk00931 Pg00197-00198
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 DEC 14 09:23 AM FEE $12.00 BY DMG
REQUEST: ASSOCIATED TITLE

EAGLE MOUNTAIN PARTNERS, L.L.C.,
a Utah limited liability company

BY: N A Rossman

ITS: President

ACKNOWLEDGEMENT

STATE OF Florida)
ss.
COUNTY OF Orange)

On this 11th day of December, 1995, personally appeared before me Norman A. Rossman who being by me duly sworn, did say that he is the President of EAGLE MOUNTAIN PARTNERS, L.L.C., a Utah limited liability company, and that the foregoing instrument was signed in behalf of said limited liability company by authorization of the operating agreement, and said Norman A. Rossman acknowledged to me that said limited liability company executed the same.

Sara Flynn-Kramer
NOTARY PUBLIC Sara Flynn-Kramer
Residing at: 7829 Greenbriar Parkway
Orlando, Florida 32819

My commission expires:

SARA FLYNN-KRAMER
Notary Public, State of Florida
My comm. expires August 12, 1997
Comm. No. CC308237
Bonded thru R. L. R. Brown, Inc.

1

Page 1 of 2 pages.

EXHIBIT "A"

Deed Restrictions - Lot A, Eagle Pointe Subdivision
Park City, Summit County, Utah

This conveyance by Grantor to Grantee is expressly subject to the restrictions set forth below.

1. Lot A of the Eagle Pointe Subdivision, Park City, Summit County, Utah (the "Lot") is hereby conveyed to Grantee to be held and maintained in perpetuity by Grantee as open space and in a natural state.

2. No dwelling, structure, or above-surface equipment or facilities of any kind shall be erected or placed on the Lot except for the following: 1) those improvements which maintain the natural qualities of the open space; 2) those necessary to protect the safety and physical integrity of the surrounding properties; and 3) trail amenities and public utilities along the platted public trail(s) and utility easement(s).

3. The Lot shall not be used for any purpose that is inconsistent with it being held as open space. Furthermore, the Lot may not be used as any kind of park or location for gathering of people, other than for the use of the public trail(s) located thereon.

4. Grantee shall be responsible for maintenance of the Lot as referenced in this Section 4. Except as provided in this Section 4, the maintenance shall be at the expense of Grantee.

(a) Grantee agrees to maintain the vegetation on the Lot in an attractive, well-kept manner. Although the Lot shall be maintained as open space, it is acknowledged by Grantor and Grantee that the Lot is located in a residential neighborhood with residences adjoining the Lot. Therefore, it is the specific purpose of this Section 4 to assure that Grantee, while maintaining the natural condition of the Lot, will not allow the Lot to generally appear un-kept or a general nuisance.

(b) Subject to the prior approval of the Park City Landscape Architect, Grantor, or a duly authorized agent, employee, subcontractor, or other representative of the Grantor, may come upon the Lot for purposes of removing certain unsightly piles of rock located on the Lot in order to restore the Lot to a clean, attractive and sightly condition. Grantor acknowledges that all costs associated with the removal of these unsightly piles of rock will be the responsibility of Grantor.

5. These restrictions shall run with the land and shall be specifically and mutually enforceable by Grantor and Grantee, their successors and assigns.

These Deed Restrictions have been reviewed and approved by Grantor and Grantee effective as of the date of the Special Warranty Deed to which this Exhibit "A" is attached.

Warranty Deed for parcel EP-II-B-X

WHEN RECORDED, MAIL TO:

CITY RECORDER
PARK CITY MUNICIPAL CORP.
P.O. BOX 1480
PARK CITY, UT 84060

SPECIAL WARRANTY DEED

EAGLE MOUNTAIN PARTNERS, L.L.C., a Utah limited liability company, grantor, hereby CONVEYS AND WARRANTS against all claiming by or through grantor, to **PARK CITY MUNICIPAL CORPORATION**, grantee, for the sum of TEN AND NO/100THS DOLLARS ($10.00) and other good and valuable consideration, the following described tract of land in Summit County, State of Utah:

PARCEL "B", as set forth on the official Record of Survey Map for EAGLE POINTE SUBDIVISION, PHASE II, Park City, Summit County, Utah.

SUBJECT TO THOSE DEED RESTRICTIONS CONTAINED IN EXHIBIT "A" HERETO, AND THOSE ENCUMBRANCES AND RIGHTS OF WAY OF RECORD.

DATED this 16 day of Sept, 1996.

EAGLE MOUNTAIN PARTNERS, L.L.C.,
a Utah limited liability company

BY: N.A. Rossman
Norman A. Rossman

ITS: President

00472465 Bk01024 Pg00666-00667
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1997 JAN 31 16:37 PM FEE $12.00 BY DMG G
REQUEST: ASSOCIATED TITLE

STATE OF Florida)
) S.S.
COUNTY OF Orange)

The foregoing instrument was acknowledged before me this 16 day of Sept, 1996 by Norman A. Rossman. He/she is ☑ personally known to me ☐ or produced _______________ and did take an oath.

Karen M. G
NOTARY PUBLIC
Print Name:
My Commission Expires:

RECEIVED
SEP 17 1996
PARK CITY
PLANNING DEPT.

NOTARY PUBLIC STATE OF FLORIDA
KAREN M. GILMORE
My Comm Exp. 3/04/98
Bonded By Service Ins
No. CC351470
[ ] Personally Known [ ] Other I.D.

c:glenn/utah/wardeddoc

EXHIBIT "A"

Deed Restrictions - Lot A, Eagle Pointe Subdivision
Park City, Summit County, Utah

This conveyance by Grantor to Grantee is expressly subject to the restrictions set forth below.

1. Parcel "B" of the Eagle Pointe Subdivision, Park City, Summit County, Utah (the "Lot") is hereby conveyed to Grantee to be held and maintained in perpetuity by Grantee as open space and in a natural state.

2. No dwelling, structure, or above-surface equipment or facilities of any kind shall be erected or placed on the Lot except for the following: 1) those improvements which maintain the natural qualities of the open space; 2) those necessary to protect the safety and physical integrity of the surrounding properties; and 3) trail amenities and public utilities along the platted public trail(s) and utility easement(s).

3. The Lot shall not be used for any purpose that is inconsistent with it being held as open space. Furthermore, the Lot may not be used as any kind of park or location for gathering of people, other than for the use of the public trail(s) located thereon.

4. Grantee shall be responsible for maintenance of the Lot as referenced in this Section 4. Except as provided in this Section 4, the maintenance shall be at the expense of the Grantee.

(a) Grantee agrees to maintain the vegetation on the Lot in an attractive, well-kept manner. Although the Lot shall be maintained as open space, it is acknowledged by Grantor and Grantee that the Lot is located in a residential neighborhood with residences adjoining the Lot. Therefore, it is the specific purpose of this Section 4 to assure that Grantee, while maintaining the natural condition of the Lot, will not allow the Lot to generally appear un-kept or a general nuisance.

(b) Subject to the prior approval of the Park City Landscape Architect, Grantor, or a duly authorized agent, employee, subcontractor, or other representative of the Grantor, may come upon the Lot for purposes of removing certain unsightly piles of rock located on the Lot in order to restore the Lot to a clean, attractive and sightly condition. Grantor acknowledges that all costs associated with the removal of these unsightly piles of rock will be the responsibility of Grantor.

5. These restrictions shall run with the land and shall be specifically and mutually enforceable by Grantor and Grantee, their successors and assigns.

These Deed Restrictions have been reviewed and approved by Grantor and Grantee effective as of the date of the Special Warranty deed to which this Exhibit "A" is attached.

00472465 Bk01024 Pg00667

City Council
Staff Report

Subject: 2013 Annual Insurance Placement
Author: Jessica Winderl & Lisa Rogers
Department: Legal Department
Date: December 6, 2012
Type of Item: Administrative

Summary Recommendations:
Staff recommends Council authorize the following insurance premium payments for 2013 City insurance that includes public entity liability, worker's compensation, property, and boiler and machinery insurance that covers a one-year time period of January 1, 2013 through December 31, 2013.

1. $127,188.00: Premium payment to States Self-Insurers Risk Retention Group, Inc. ("States") for public entity broad form excess liability insurance (including General Liability, Employment Practices Liability, Automobile Liability, Law Enforcement Liability, *Terrorism Risk Insurance Act** and Public Officials Error and Omission Liability);

2. $4,276.00: Premium payment to States Self-Insurers Risk Retention Group, Inc. ("States") for Potable Water Treatment Operations insurance supplement;

3. $171,012.94: Premium payment to Workers Compensation Fund ("WCF") for workers compensation insurance;

4. $111,352.00: Premium payment to Affiliated FM ("Affiliated") for property, boiler and machinery insurance; and

5. $32,166.00: Premium Payment to Zurich's for Cyber Liability.

During 2011 insurance renewal period, the City entered into a three (3) year policy for crime insurance (Public Officials Employee Dishonesty) which is valid until December 31, 2014 and therefore not part of this year's renewal.

Topic/Description:
Park City Insurance Placement for 2013

Background:
Park City exposures and risks are unique due to its world-class mountain resort environment and extensive public services. City staff continues to promote and implement safety policies, procedures, prevention methodologies, and provides regular training so that risks are mitigated. Risk management procedures also ensure that the City's assets, facilities and public property are protected, and that the employees, local residents, and tourists and visitors are provided a safe and enjoyable place to work and play.

Analysis:
The City's insurance broker, Marsh USA, placed the City's property, boiler and machinery, Workers Compensation Fund, insurance needs out to bid in fall 2012. They received back one (1) quote for property insurance coverage from Affiliated FM Insurance Company, who is our incumbent insurance provider. They also received two responses from other insurance providers, Axis Insurance Company and Lexington Insurance Company, both of who declined to submit a quote because they did not believe they could be competitive with Affiliated FM Insurance Company.

Staff submitted a renewal application to States for the excess liability insurance and potable water treatment operations insurance, and is anticipating receiving an exact premium quote shortly. Last year's (2012) excess liability premium payment was $118,724, and the potable water treatment operations insurance was $4,104.

A. States Insurance.
Staff recommends insurance renewal with States Self-insurance Risk Retention Group for a $5 million occurrence/aggregate policy, $250,000 SIR (Self-Insured Retention), with a premium of $123,359.00. If the City opts in for *Terrorism Risk Insurance Act (TRIA) the premium will be an additional $3,829.00 (For a total of $127,188.00).

Staff also recommends that Park City renew the Potable Water Treatment Operations insurance with States. The premium for this insurance is $4,276.00 (a slight increase with QJWTP added). This supplemental insurance addresses the increased scope of the City's water services operations and will cover bodily injury, personal injury, or property damage arising directly or indirectly out of the sale and distribution of potable water by the Insured to others.

States is a member-owned company with policies written by public entity risk managers and specifically crafted to address the unique exposures and operations of cities, counties, school districts and related public entities. Park City has been a member of States for the past nine years and its' risk management administrative affiliate Berkely Risk Administrators Co.

States is a well-established, highly regulated, multi-state program that is registered to do business in 44 states. They are also audited on an annual basis by reinsurance partners and outside auditors and actuaries.

B. Affiliated FM.

This property insurance quote is for $107,443, with an additional policy available for Property TRIA (terrorism) for a premium of $3,909. It also includes the Boiler and Machinery coverage in the policy. In June 2012, Affiliated FM issued an endorsement to add 75 new golf carts valued at $4,045 each to the limit of $303,375 total (the additional premium for this was waived). September 2012, the City paid an additional $4,606.00 (pro-rated of $7,246.00 annual premium) for the addition of the Quinns Junction Water Treatment Plant. This made 2012-2013 current policy limit to $101,000,000 from $87,000,000. The value of the buildings that Park City owns has increased 27% from last year, due to new property acquisitions and improvements, and the property schedule includes 48 structures that the City owns.

<u>D. Workers Compensation Fund.</u>
The insurance premium for this policy is $171,013, which is up from last year's premium of $127,676 (2012). The increase in our policy is directly related to increased numbers of workers compensation claims this past year. The City's E-Mod (Experience Module), which is one of the main tools used to measure a City's management of claims, is .81, up from .79 last year (2012). The E-mod is calculated using the previous three (3) year E-Mod numbers, and the City had high rates of worker's compensation claims in 2009 and 2010, which are impacting this year's numbers. Even with a higher claim year during 2012, it is anticipated that this number will decrease next year when the older and highest E-Mod numbers drop out of the calculation equation. During 2012 we received a dividend payout from the Worker's Compensation Fund of $3,659.

<u>E. Cyber Liability.</u>
This is a fairly new area of insurance, which is becoming more relevant for organizations who store sensitive information on computers. Zurich's cyber liability premium quote is for $32,166 and provides the City with $5,000,000 worth of coverage against Security and Privacy Liability, and $500,000 each for Regulatory Proceeding Defense Coverage and Privacy Breach Costs Coverage. Our IT Department participated in discussions with Zurich regarding the coverage, and recommends that the City secure cyber protection in the form of insurance.

Department Review:
Staff and Marsh representatives reviewed the City's exposure and options to insure the City in a responsible and appropriate manner. Risk Management/Legal consulted with City departments to obtain the most current comprehensive City data (financial statement, payroll, fleet, transit, water, recreation, and safety programs), and discussed workers compensation insurance administrative requirements with Human Resources, and cyber insurance with the IT Department.

Alternatives:

A. **Approve:**
Approve the insurance recommendations as presented.

B. **Deny:**
Deny the recommendations and approve the alternative insurance quote presented above.

C. **Continue the Item:**
Continue the item and provide direction to staff. This alternative is not recommended.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?				+ Fiscally and legally sound + Well-maintained assets and infrastructure + Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Neutral ⇔	Neutral ⇔	Neutral ⇔	Positive ⇧
Comments:				

Funding Source:
Funds budgeted for insurance placement.

Consequences of not taking the recommended action:
All current insurance policies for the City will expire on January 1, 2013, and there would be a lapse in insurance coverage.

Recommendation:
Staff recommends Council authorize the following insurance premium payments for 2013 City insurance that includes public entity liability, worker's compensation, property, and boiler and machinery insurance, and cyber insurance that covers a one-year time period of January 1, 2013 through December 31, 2013.