

CITY OF OVERLAND PARK

Intra-City Communication

DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

June 21, 2010

To: Mayor Carl Gerlach
Council President Dave Janson
Members of the City Council

From: Tony Cosby
Director, Recreation Services

Re: Request to continue funding a workers compensation policy for individuals who perform volunteer service for the Arts and Recreation Foundation of Overland Park.

Through its volunteers, the Arts and Recreation Foundation of Overland Park (ARFOP) has provided thousands of hours of service that ultimately benefits the City, supporting popular and successful events like the spring plant sale at the Arboretum, the Chicken Run at the Farmstead and the Nutcracker Tea Party. In 2009, ARFOP volunteers logged an estimated 15,000 hours of volunteer service.

While volunteers provide valuable services to the City and our community, the possibility a volunteer will be injured while performing volunteer services while on City property creates a legitimate risk that the City and/or the ARFOP might be sued for injuries related to such service. In 2003, subsequent to consultations with James Charlesworth, the City's risk manager, the staff made a decision to mitigate potential liability for ARFOP volunteers who work at City facilities by purchasing on behalf of the ARFOP a separate workers compensation policy.

In the past, the annual premium for the ARFOP workers compensation policy averaged \$5,000. The annual premium for the 2010 policy is currently being negotiated, however, it is expected the annual premium will increase to approximately \$7,500. Based on this expected increase in premiums, the staff is requesting authority to continue paying the annual premium for the ARFOP workers compensation policy. Park Services has operating funds budgeted to pay the estimated \$7,500 premium for 2010. The City's risk manager and staff believe the benefit provided by continuing to pay for the ARFOP policy is justified by the mitigation of the risk associated with the large number of volunteer hours provided to the ARFOP and the City.

Tony Cosby
Director, Recreation Services