



TENTATIVE AGENDA
BOARD OF ALDERMEN WORK SESSION
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DRIVE
ST. PETERS, MO 63376
APRIL 28, 2016 AT 4:30 P.M.

- A. Legislative Update with Representative John Weimann in Aldermanic Conference Room from 4:30 - 5:00 PM
- B. Communications from Board Members/Aldermanic Representatives
- C. BOA Items for Discussion
 1. [Selection of Aldermanic Representatives to Boards and Commissions and Board President](#) – Hollingsworth
- D. Mayor/City Administrator Item
 1. [Discussion/PACE Program](#) – Mayor
 2. [Discussion/Firearms Use in Rural St. Peters Boundary Lines](#) – Mayor
 3. [Recommendation for Storm Water Consultants on the following projects](#) – Batzel
 - P-25A Basin Retrofits & Stream Channels (Richmond, Regency Estates and Park Ridge Estates)
 - P-25B Country Crossing Manor Basin Retrofits & Stream Channel
 - P-26A Stream Channel Improvements (Telluride & Tanglewood)
 - P-26B Stream Channel Improvements (Colby & Timberidge)
 - P-31 Storm Water Drainage Improvements (Red Mill, Brookshire and Hermitage)
 4. [Purchase Recommendation of Replacement Mini-Crane Sign Truck](#) – Kuppler
 5. [Draft Resolution Designating the City of St. Peters as a “Hybrid Entity”](#) – Finkelstein
 6. Miscellaneous Updates – Charnisky
 7. Board Meeting Agenda Item Revisions – Charnisky
 8. Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021(1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

D. Adjournment

AGENDA Posted at City Hall: April 25, 2016
By: P. Smith, City Clerk

Next Work Session: May 12, 2016

Appointments will run from April 2016 to April 2017

**PROPOSED
2016-2017
Aldermanic Representative
Boards and Commissions Assignments**

Board of Aldermen President:

Planning and Zoning Commission:

Parks, Recreation & Arts Advisory Board:

Veterans Memorial Commission:

Senior Advisory Committee:

St. Peters Green Team:

Community Health & Wellness Advisory Committee:

Outpatient Surgical Treatment Center Medical Review Board:

Appointments will run from April 2016 to April 2017

RBA FORM (OFFICE USE)

MEETING DATE: 4-28-16

Regular () Work Session (X)

ATTACHMENT: YES () NO (X)

Contract () Ordinance () Other ()

**Request for Board Action
By Mayor**

Ward 1 () 2 () 3 () 4 () All Wards (X)

Brief Description: Discussion of Firearms Use in Rural St. Peters Boundary Lines

Staff: Recommended () Not recommended () No Position ()

Summary/Explanation:

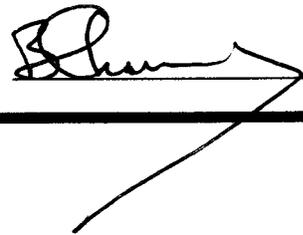
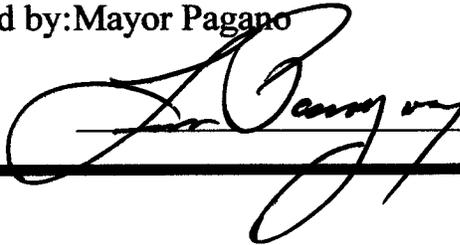
Further discussion is desired regarding the use of firearms, for hunting purposes, in rural St. Peters boundary lines.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

None

RBA requested by: Mayor Pagano

CA: William P. Charnisky



RBA FORM (OFFICE USE)

MEETING DATE: 04-28-16

Regular () Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract () Ordinance (X) Other ()

**Request for Board Action
By Mayor**

Ward 1 () 2 () 3 () 4 () All Wards (X)

Brief Description: Discussion/Draft Ordinance PACE Program

Staff: Recommended () Not recommended () No Position ()

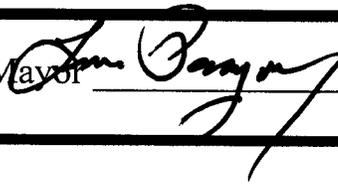
Summary/Explanation:

For the Board of Aldermen to consider adopting an ordinance which allows our City residents to participate in the PACE (Property Assessed Clean Energy) Program. The program has been approved in the State of Missouri and is now expanding to assist homeowners in saving on their Utility bills and creating a method of financing home energy projects. Tom Dempsey, representing the Renovate America and the Missouri Clean Energy District, will be making a presentation to the Board for consideration of adopting a new ordinance to enable the City of St. Peters to join the Missouri Clean Energy District.

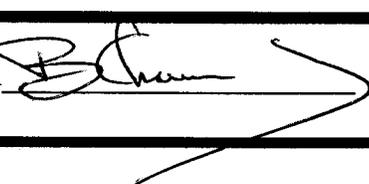
Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

NONE

RBA requested by: Mayor



CA



ORDINANCE NO. _____

AN ORDINANCE TO ENABLE THE CITY OF _____, MISSOURI TO JOIN THE MISSOURI CLEAN ENERGY DISTRICT PURSUANT TO SECTIONS §67.2800 TO §67.2835, INCLUSIVE, RSMO., THE “PROPERTY ASSESSED CLEAN ENERGY ACT,” AND STATING THE TERMS UNDER WHICH THE CITY WILL CONDUCT ACTIVITIES WITHIN THE CITY AS A MEMBER OF SUCH DISTRICT.

WHEREAS, the 95th General Assembly of Missouri enacted Sections §67.2800 to §67.2835, inclusive, RSMo., the “Property Assessment Clean Energy Act” (the “Act”); and

WHEREAS, the development, production, and efficient use of clean energy and renewable energy, as well as the installation of energy efficiency improvements to publicly and privately owned real property, will create jobs for residents of the City of _____, Missouri, advance the economic well-being and public and environmental health of the City of _____, Missouri, and contribute to the energy independence of our nation; and

WHEREAS, the primary intent of funding energy efficiency and renewable energy improvements pursuant to the Act is to promote the public purposes described above; and

WHEREAS, Section §67.2810.1 authorizes one or more Municipalities (as defined in Section §67.2800.7) to establish a Clean Energy Development Board to initiate and administer a Property Assessed Clean Energy (“PACE”) Program so that owners of qualifying property can access funding for energy efficiency improvements or renewable energy improvements to their properties located in such Municipalities; and

WHEREAS, on January 3, 2011, a clean energy development board now named the Missouri Clean Energy District was created with the intention that all Municipalities within the State of Missouri would be eligible to join and participate by approving an appropriate ordinance or resolution; and

WHEREAS, it is in the best interests of the City of _____, Missouri and for the benefit of its residents to join and participate in the District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF _____, MISSOURI, AS FOLLOWS:

SECTION ONE: The City hereby approves and authorizes joining and participation in the Missouri Clean Energy District.

SECTION TWO: The City declares its intent that the provisions of this Ordinance shall be in conformity with federal and state laws. The City enacts this Ordinance pursuant to Sections 67.2800 to 67.2835 of the Missouri Revised Statutes (2000), as amended.

Subsection One. Title and Definitions.

A. Title. This Ordinance shall be known and may be cited as “The City of _____, Missouri Property Assessed Clean Energy (PACE) Ordinance.”

B. Definitions. Except as specifically defined below, word and phrases used in this Ordinance shall have their customary meanings. Words and phrases defined in Section 67.2800.2 of the Missouri Revised Statutes (2000), as amended, shall have their defined meanings when used in this Ordinance. As used in this Ordinance, the following words and phrases shall have the meanings indicated.

“Missouri Clean Energy District” or “District” means the Missouri Clean Energy District.

“PACE Assessment” means a special assessment made against qualifying property in consideration of PACE Funding.

“PACE Funding” means funds provided to the owner(s) of qualified property by the District for an energy efficiency improvement.

“Qualifying Property” means real property located in The City of _____, Missouri.

Subsection Two. Program Administration.

The Missouri Clean Energy District shall administer the functions of the PACE Program within the City by

- A. providing property owners with an application in order to apply for PACE Funds;
- B. developing standards for the approval of Projects submitted by property owners;
- C. reviewing applications and select qualified Projects;
- D. entering into Assessment Contracts with property owners;
- E. providing a copy of each executed Notice of Assessment to the County Assessor and causing a copy of each such Notice of Assessment to be recorded in the real estate records of the Recorder of Deeds for the County;
- F. authorizing and disbursing the PACE Funds to the property owners;
- G. receiving the PACE Assessment from the County Collector;

- H. recording any lien, if needed, due to nonpayment of a PACE Assessment; and
- I. exercising all powers granted by Section 67.2810.2 of the Missouri Revised Statutes (2000), as amended, including, but not limited to, the power to levy and collect special assessments under an assessment contract with a property owner.

Subsection Three. Liability of City Officials; Liability of City.

Notwithstanding any other provision of law to the contrary, officers and other officials of the City, the District and the County in which the City is located shall not be personally liable to any person for claims, of whatever kind or nature, under or related to the City's participation in the District's PACE Program, including, without limitation, claims for or related to uncollected PACE Assessments. The City has no liability to a property owner for or related to energy savings improvements funded under a PACE Program. The District shall for all purposes be considered an independent entity and shall not be considered a political subdivision of the City of _____.

SECTION THREE: The Mayor of the City is hereby authorized to deliver a duly executed copy of this Ordinance to the Board of Directors of the District or its designee, together with the jurisdictional and geographic boundaries of the City for inclusion in the jurisdictional and geographic boundaries of the District.

SECTION FOUR: The City authorizes and directs the _____ (chief elected official) to appoint a member of the Advisory Council of Missouri Clean Energy District and to notify the District of the person so appointed..

ADOPTED and APPROVED this ____ day of _____, 2015.

Attest:

Name:
Clerk

RBA FORM (OFFICE USE)

MEETING DATE: April 28, 2016

Regular () Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract () Ordinance () Other (X)

**Request for Board Action
By Staff**

Ward 1 (X) 2 (X) 3 (X) 4 (X) All Wards ()

Brief Description: Action to authorize the City Administrator to execute agreements with design consultants for 11 storm water projects in the following project groupings:

- Project P-25-A: Basin & Stream Channel Improvements (Richmond, Regency Estates, & Parkridge Estates)
- Project P-25-B: Country Crossing Manor Basin & Stream Improvements
- Project P-26-A: Stream Channel Improvements (Telluride Channel & Tanglewood)
- Project P-26-B: Stream Channel Improvements (Colby Dr, & Timberidge)
- Project P-31: Storm Water Drainage Improvements (Red Mill, Hermitage, & Brookshire)

Staff: Recommended (X) Not recommended () No Position ()

Summary/Explanation:

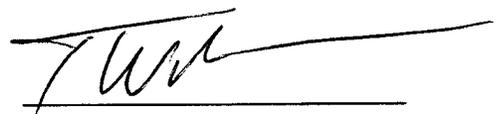
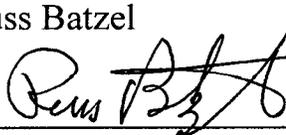
City staff is recommending awarding design contracts to complete eleven (11) storm water projects that affect approximately 2 miles of stream channel and six subdivision basins. See attached memo for details.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.) Execution of these agreements will obligate approximately \$1,314,291 for engineering design of 11 storm water improvement projects in 11 subdivisions.

Funds for these projects will come from bonds supported by the Local Parks and Storm Water Fund budget.

Asst. C.A. Tim Wilkinson

RBA requested by: Russ Batzel





INTEROFFICE MEMORANDUM

TO: BILL CHARNISKY, CITY ADMINSTRATOR
FROM: RUSS BATZEL, MANAGER/PWS
SUBJECT: STORM WATER STREAM CHANNEL IMPROVEMENTS
ENGINEERING SERVICES AGREEMENTS RECOMMENDATION
DATE: APRIL 19, 2016
CC:

Recommendation: After reviewing Request for Qualification Proposals received for Storm Water Basin and Stream Channel Improvements Projects defined in the comprehensive Storm Water Watershed Master and generated from resident concerns, I recommend negotiating engineering services agreements with the following firms for the projects listed:

Project Number	Project Description	Consulting Team
P-25A	Basin & Stream Channel Improvements (Richmond, Regency Estates, & Parkridge Estates)	Barr Engineering
P-25B	Country Crossing Manor Basin & Stream Channel Improvements	Reitz & Jens Engineering
P-26A & P-26B	Stream Channel Improvements (Telluride, Tanglewood, Colby Drive, & Timberidge)	Barr Engineering
P-31	Storm Water Drainage Improvements (Red Mill, Hermitage, & Brookshire)	BAX Engineering

Background: In early March 2016 the City advertised for engineering design consultants to submit proposals to determine their qualifications to perform work associated with 11 storm water improvement projects affecting 11 subdivisions, approximately 2 miles of stream channel, and six basins. The projects were placed in project groupings identified as projects P-25A, P-25B, P-26-A, P-26B and P-31. The scope of work for the projects

will be guided by the engineering study and recommendations from the 2012 City of St. Peters Comprehensive City-wide Storm Water Master Plan (SWMP). The SWMP has highlighted projects to improve water quality and continued compliance with Missouri Department of Natural Resources Municipal Separate Storm Sewer Systems (MDNR MS4) regulations. The project areas outlined by the request for qualifications consisted of water quality retrofits and stream bank stabilization improvements, and in general the proposed work consists of the following:

- Improve water quality by retrofitting to the recommended alternative storage regime (e.g., extended dry detention), using native plantings, designing sediment removal forebays, and modifying or replacing basin outlet works, or other proposed alternatives
- Develop hydrologic models and/or perform hydrologic calculations to design basin retrofits
- Consider nutrient loading in basins and potential for future nutrient management removal/treatment requirements
- Design bioengineered streambank stabilization
- Provide final design, necessary permits and construction documents
- Provide construction phase services

On March 30 and April 6, 2016, the City received written proposals from seven (7) engineering consulting firms for the Request for Qualifications Proposals for the storm water stream channel and basin retrofits.

The written proposals were reviewed and scored by staff based on completeness and content addressing the areas of Project Understanding, Project Approach, Experience of the Firm, Experience of the Key Personnel, Project Manager, Innovative Approaches, Quality Assurance, and Past Experience performing City Projects. The scores were tabulated and their written proposal rating scores are noted below for each project:

P-25-A Basin & Stream Channel Improvements (Richmond, Regency Estates, & Parkridge Estates)	
Consultant	Technical Proposal Rating
Barr Engineering	420
Kuhlmann	345
Reitz & Jens	277

P-25-B Country Crossing Manor Basin & Stream Channel Improvements	
Consultant	Technical Proposal Rating
Reitz & Jens	358
Horner & Shifrin	314
Kuhlmann	291

P-26-A Telluride Channel & Tanglewood Channel Improvement Projects	
P-26-B Colby Drive & Timberidge Drive Channel Improvement Projects	
Consultant	Technical Proposal Rating
Barr Engineering	413
HR Green	385
GBA	339
EDM	336
Kuhlmann	273

P-31 Storm Water Drainage Improvements (Red Mill, Hermitage, & Brookshire)	
Consultant	Technical Proposal Rating
BAX	406
Reitz & Jens	326
GBA	320
Horner & Shifrin	316
Kuhlmann	314
Geosyntec	269

The evaluation committee conducted a thorough review of the consultant’s specific project approach for the project and their estimated staff hour level of effort to complete the work. The recommended project assignments, estimated staff hour needs, and estimated design budgets including subconsultant fees and other direct costs are as follows:

Project Number	Project Description	Consulting Team	Staff Hour Estimate	Design Budget Estimate
P-25A	Basin & Stream Channel Improvements (Richmond, Regency Estates, & Parkridge Estates)	Barr Engineering	2,708	\$330,200
P-25B	Country Crossing Manor Basin & Stream Channel Improvements	Reitz & Jens Engineering	1,352	\$280,000
P-26A	Stream Channel Improvements (Telluride & Tanglewood)	Barr Engineering	2,435	\$300,900
P-26B	Stream Channel Improvements (Colby Drive, & Timberidge)	Barr Engineering	2,557	\$337,900
P-31	Storm Water Drainage Improvements (Red Mill, Hermitage, & Brookshire)	BAX Engineering	546	\$65,291

With approval from the Board of Aldermen, separate ordinances will be prepared to authorize the City Administrator to enter into engineering services agreements with each of the recommended design firms. For Timberidge, Hermitage, and Brookshire projects, only a Phase I engineering study is proposed in order to complete a preliminary design to evaluate the hydrology and hydraulics of the watersheds to develop a concept plan and better define the scope of work for the final design. A second design phase scope of work and fee will then be brought before the Board of Aldermen for consideration if the project moves forward. Funds for the engineering design contracts will come from the budget of Local Parks & Stormwater Fund.

RBA FORM (OFFICE USE)

MEETING DATE: 4-28-16

Regular () Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract () Ordinance (X) Other ()

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 () 4 () All Wards (X)

Brief Description: Request to Purchase Replacement Crane Sign Truck #353.

Staff: Recommended (X) Not recommended () No Position ()

Summary/Explanation:

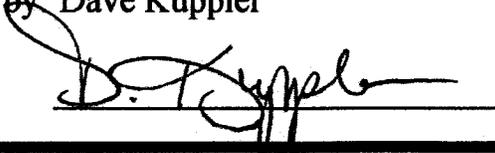
As part of the FY16 budget process and vehicle replacement plan we would like to replace the Mini Crane Sign Truck #353 through the MoDOT contract.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

For FY16 \$140,000 was budgeted to purchase a new truck to replace the 2006 Mini Crane Sign Truck #353 TDS maintenance vehicle. We have reviewed both the Statewide and MoDOT contracts and there are seven options from three vendors for the purchase of this truck on the MoDOT contract and nothing on the Statewide contract. We are recommending the City purchase the truck from International Truck and Engine who is lowest bidder. The price of the truck from International Truck and Engine is \$111,514.00 and is \$28,486.00 under budget.

RBA requested by: Dave Kuppler

CA: William P. Charnisky



INTEROFFICE MEMORANDUM

TO: DAVID KUPPLER, MANAGER OF HES
FROM: CARL CRAIN, DIRECTOR OF FLEET AND ENVIRONMENTAL OPERATIONS 
SUBJECT: 2016 CAPITAL VEHICLE REPLACEMENT, TDS VEHICLE #353
DATE: APRIL 11, 2016
CC: RICH JACQUEMIN, FLEET MAINTENANCE COORDINATOR

Background:

The CIP and TDS capital fund allocates \$140,000 for the replacement of vehicle #353, a 2006 Chevy 4500 Mini Crane Sign Truck. This is a street maintenance truck. There are seven options from three vendors for this truck on MoDOT contract #3-141204TV, item #22. The FM and Street Departments have reviewed the bids and are recommending the low bidder based on the needed options. Due to the complexity of this vehicle with the needed added options; Kranz and Viking-Cives did not provide a quote.

Recommendation:

Fleet Maintenance has reviewed both MoDOT #3-141204TV, item #22 and the Statewide contract (no sign trucks available). FM is recommending the vehicle from International with a Knapheide Body per the attached quote. This truck will cost \$111,514 and will be \$28,486 under budget.

Justification:

The recommended vehicle meets all the needs of the department and is also the lowest cost vehicle on the MoDOT contract. Two of the vendors could not provide quotes for this replacement vehicle.

 OK.



Missouri Department of Transportation
Bid Tabulation of Request 3-141204TV Medium Duty Vehicles
Multiple Awards

ITEM # 22 - New standard equipped 2016 or Newer Model 17,500 GVWR Chassis-Cabs with DRW and 84" CA
Options A-CC apply. See Options Tab for details.

VENDOR	Navistar w/ Kranz	Navistar w/ Knapheide	Navistar w/ Viking Cives	Columbia Freightliner w/ Knapheide	Navistar w/ Kranz	Navistar w/ Knapheide	Navistar w/ Viking Cives
MAKE/MODEL	International Dura Star	International Dura Star	International Dura Star	Freightliner M2106	International Terrastar	International Terrastar	International Terrastar
GVWR	20,000	20,000	20,000	20940	19,500	19,500	19,500
BASE PRICE	\$58,220.00	\$58,220.00	\$58,220.00	\$60,181.00	\$47,789.00	\$47,789.00	\$47,789.00
OPTION 22G Mounted utility body	\$7,795.00	\$7,199.00	No Bid	\$7,199.00	\$7,795.00	\$7,199.00	No Bid
Upgrade to crane body #6132DL-38J1 from Knapheide Quote	No Quote	\$51,664.00	Not Available	\$51,664.00	No Quote	\$51,664.00	Not Available
OPTION 22AA Spray In Bedliner	\$1,055.00	\$770.00	No Bid	\$770.00	\$1,055.00	\$770.00	No Bid
Upgrade to option 22AA top of walkway bedliner	\$325.00	\$325.00		\$325.00	\$325.00	\$325.00	
OPTION 22BB Electric Brake Controller	\$534.00	\$290.00	\$949.00	\$265.00	\$534.00	\$290.00	\$949.00
LED Worklamps mounted (Knapheide quote)		\$644.00		\$644.00		\$644.00	
LED stobes front mounted (Knapheide quote)		\$298.00		\$298.00		\$298.00	
Led stobes Rear Mounted (Knapheide quote)		\$358.00		\$358.00		\$358.00	
Led amber light bar (Knapheide quote)		\$2,177.00		\$2,177.00		\$2,177.00	
All Options Costs		\$63,725.00		\$63,700.00		\$63,725.00	
DELIVERY FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total vehicle cost		\$121,945.00	Not Available	\$123,881.00		\$111,514.00	Not Available
STD ARO (DAYS)	120-190	120-190	120-190	150	120-190	120-190	120-190



RBA FORM (OFFICE USE)

MEETING DATE: 4/28/16

Regular (X) Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract () Ordinance () Other (X)

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 () 4 () All
Wards (X)

Brief Description: This a request to consider a resolution to designate the City of St. Peters as a "Hybrid Entity" as defined in regulation 45 CFR 164.105 by the Department of Health and Human Services in the implementation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

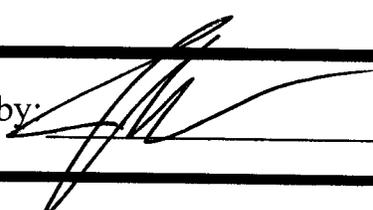
Staff: Recommended (X) Not recommended () No Position ()

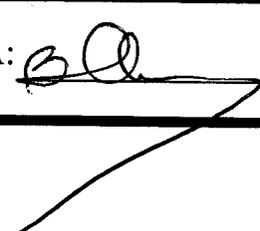
Summary/Explanation: The City is currently a "Covered Entity" as defined by HIPAA regulations. This means the entire City is required to comply with the HIPAA Privacy Rule for Protected Health Information (PHI) and the Security Rule for electronic PHI (e-PHI). This resolution will designate certain functions of the Human Relations and Finance Departments of the City as "health care components" under HIPAA subject to HIPAA Security and Privacy Rules. The remaining "non-health care" components of the City shall comply with HIPAA to the extent required by law which consists of following the direction of the City's HIPAA Privacy and Security Officials with regard to PHI and e-PHI obtained from the health care components of the City.

This designation will permit the Police Department and other City Departments to operate efficiently in compliance with HIPAA.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

None.

RBA requested by: 

CA: 

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS DECLARING THE CITY AS A HYBRID ENTITY; DESIGNATING THE CITY'S HEALTH CARE COMPONENTS; DESIGNATING A HIPAA PRIVACY AND SECURITY OFFICER(S); DIRECTING AND AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES TO CARRY OUT THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), and the Health Information Technology for Economic and Clinical Health Act (“HITECH”), and regulations promulgated under them by the U.S. Department of Health and Human Services, 45 C.F.R. Parts 160 and 164, require public and private entities that provide certain health care services and health plans to comply with regulations related to the collection, use, disclosure and security of individually identifiable health information; and

WHEREAS, as a “covered entity” under HIPAA, the City of St. Peters strives to protect the confidentiality, integrity and availability of protected health information by taking reasonable and appropriate steps to protect the security and privacy of protected health information, and comply with all applicable laws and regulations relating to data privacy and security; and

WHEREAS, The City of St. Peters is one legal entity that provides both health care covered and non-health care covered functions as part of its business operations, and may declare itself as a “Hybrid Entity” as defined by 45 C.F.R. § 164.103 and in accordance with 45 C.F.R. § 164.105(a)(2)(iii)(D); and

WHEREAS, the Board of Aldermen of the City of St. Peters has determined that the City can more effectively and efficiently comply with HIPAA and HITECH by declaring the City as a “Hybrid Entity” and formally designating the City’s health care components in accordance with 45 C.F.R. § 164.105(a)(2)(iii)(D); and

WHEREAS, after an assessment of the divisions, programs and departments within the City of St. Peters for applicability of HIPAA, only limited portions of the City are components that create, transmit, use or maintain health information and, therefore, only those portions should be designated as health care components; and

WHEREAS, HIPAA regulations require the City of St. Peters to designate an individual or individuals as the privacy and security officer(s) to be responsible for the development and implementation of required privacy and security policies and procedures for the City and the City Administrator or his designee has assumed those duties relative to HIPAA and HITECH compliance policies and procedures as outlined herein; and

WHEREAS, as a Hybrid Entity, the City of St. Peters has an ongoing responsibility to establish and maintain policies, procedures, safeguards and business practices to maintain compliance with HIPAA and HITECH requirements.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION 1. The Board of Aldermen of the City of St. Peters do hereby designate the City as a Hybrid Entity pursuant to 45 C.F.R. §§ 164.103 and 164.105.

SECTION 2. In accordance with 45 C.F.R. § 164.105(a)(2)(iii)(D), the Board of Aldermen of the City of St. Peters do hereby designate the following departments within the City as “health care components” to the extent these department engage in the administration of the City’s self-insured health benefits plan:

- A. The Human Resources Department to the extent it administers the City’s health insurance benefits plan only; and
- B. The Finance Department to the extent it provides billing, payment, and administration services in connection with the City’s health insurance benefits plan only.

In accordance with 45 C.F.R. § 164.105(a)(2)(iii)(C), the Board of Aldermen of the City of St. Peters does hereby additionally designate the following as health care components to the extent that they meet the definition of a “business associate” under 45 C.F.R. § 160.103 if they were separate legal entities from the City and to the extent that they create, receive, maintain, transmit or disclose protected health information:

- A. Any company hired to perform audits on behalf of the City of St. Peters to the extent the company’s auditing services involve access to protected health information; and
- B. Any third-party administrator that assists the City of St. Peters in the administration of the City’s self-insured health benefits plan with claims processing.

SECTION 3. The Board of Aldermen of the City of St. Peters hereby affirms that all covered components are required to protect the security and privacy of protected health information and comply with all applicable laws and regulations relating to data privacy and security. To this end, the Board of Aldermen of the City of St. Peters authorizes the City Administrator or his designee to develop and implement reasonable and appropriate administrative, technical, and physical safeguards, policies, and procedures for protecting protected health information in any form or media, whether electronic, paper, or oral, and to ensure that the designated health care components do not disclose protected health information to another non-health care components of the City

under any circumstances in which HIPAA or HITECH would prohibit such disclosure if the health care component and non-health care component were separate legal entities, to ensure that the designated health care component does not use or disclose protected health information that it creates or receives from or on behalf of another health care component in a way that is prohibited by the privacy and security standards under HIPAA and HITECH, and to ensure that if a worker performs duties for both a health care component and non-health care component of the City, the worker does not disclose protected health information created or received in the course of, or incident to, his or her work for the health care component in a way prohibited by the privacy and security standards under HIPAA and HITECH.

SECTION 4. The Board of Aldermen of the City of St. Peters designates the City Administrator or his designee as the City's HIPAA Privacy and Security Officer responsible for the development, implementation and oversight of the City's HIPAA privacy and security policies and procedures in relation to the policies and procedures applicable to the City's self-funded health benefits plan which includes the Human Resources Department and the Financial Department to the extent those departments engage in the administration of the City's self-insured health benefits plan as outlined in Section 2 herein.

SECTION 5. The Board of Aldermen of the City of St. Peters directs and authorizes the HIPAA Privacy and Security Officer to approve changes in the designation of departments, divisions, units and/or programs as health care components to maintain compliance with HIPAA and HITECH, to develop policies and procedures, and outline other actions as necessary to implement this Resolution and comply with the privacy and security rules of HIPAA and HITECH.

SECTION 6. This Resolution shall take effect upon its adoption by the Board of Aldermen of the City of St. Peters, Missouri.

Read and adopted this _____ day of _____, 2016

Len Pagano, As Presiding Officer and as Mayor

Attest: _____
Patricia E. Smith, City Clerk