SARTELL CITY COUNCIL – CONSENT AGENDA MEMO

TO: SARTELL CITY COUNCIL

FROM: MARY D.

SUBJECT: INSURANCE RENEWAL

DATE: 5/12/14

Staff recommends no changes to your insurance coverages this year. I am attaching an outline from the League of Cities showing the statutory limit outline and options. By approving this consent agenda item, the Council is approving the insurance renewal with the same terms as currently provided and authorizing signature on the attached waiver form implementing the City's decision **not** to waive monetary limits on municipal tort liability.

LEAGUE OF MINNESOTA CITIES

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LMCIT Liability Coverage Options

Coverage structure If the city:	On a liability claim to which the statutory limits apply		On a liability claim to which the statutory limits do not apply
	This is the maximum amount a single claimant could recover on an occurrence.	This is the maximum total amount that all claimants could recover on a single occurrence.	This is the maximum amount of damages which LMCIT would pay on the city's behalf for a single occurrence, regardless of the number of claimants.
Does not have excess coverage & Does not waive the statutory limits	$500,000	$1,500,000	$1,500,000
Does not have excess coverage & Waives the statutory limits	$1,500,000	$1,500,000	$1,500,000
Has $1,000,000 of excess coverage & Does not waive the statutory limits	$500,000	$1,500,000	$2,500,000
Has $1,000,000 of excess coverage & Waives the statutory limits	$2,500,000	$2,500,000	$2,500,000

SECTION I: LIABILITY COVERAGE WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than $500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to $1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.

- *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to $1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to $1,500,000., regardless of the number of claimants.

- *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

City of Sartell accepts liability coverage limits of $ 1.5 million from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

☒ The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

☐ The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting _____

Signature_____ Position_____

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044