



City Council Memorandum

To: Mayor Fasbender & City Councilmembers
From: Emily King, Deputy City Clerk
Date: December 5, 2022
Item: Declare Liability Insurance Coverage

Council Action Requested:

Approve the resolution to not waive the monetary limits on tort liability established by MN Statutes 466.04, to the extent of the limits of liability coverage obtained by the League of Minnesota Cities Insurance Trust.

Background Information:

The City's insurer, the League of Minnesota Cities Insurance Trust (LMCIT), requires that the City Council make an affirmative action whether or not they will waive the monetary limits on tort liability established by MN Statutes 466.04 to the extent of the limits of liability coverage obtained by the LMCIT.

Since 2010 City Council has chosen not to waive the tort immunity, which limits an individual to recover no more than \$500,000 on any claim to which the tort immunities apply. The single occurrence limit under state law is \$1,500,000. If the City Council were to waive the tort immunity, an individual could collect or recover up to the per occurrence limit. The premium impact would be approximately an increase of 3% if the tort immunity was waived.

Financial Impact:

Premium savings.

Advisory Commission Discussion:

N/A

Council Committee Discussion:

N/A

Attachments:

- Resolution

**CITY OF HASTINGS
COUNTIES OF DAKOTA AND WASHINGTON
RESOLUTION NO. 12 - - 22
A RESOLUTION DECLARING INSURANCE LIABILITY
FOR THE CITY OF HASTINGS**

WHEREAS, the City of Hastings obtains liability insurance coverage from the League of Minnesota Cities, and;

WHEREAS, the League requires the City Council to establish the level of liability insurance coverage by resolution for the City, and;

WHEREAS, the City, since 2010, has opted to not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04, and;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hastings, Minnesota does hereby declare to not waive the monetary limits on municipal tort liability and to not purchase excess liability insurance.

Adopted on this 5th day of December, 2022.

Mary D. Fasbender, Mayor

Attest:

Kelly Murtaugh, City Clerk