

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: December 7, 2020
Item No.: 9.d

Department Approval

Michelle Luttrick

City Manager Approval

Sam J. Truog

Item Description: Consider Not Waiving Statutory Liability Limits for 2021

BACKGROUND

Minnesota Statute 466.04 states that liability of any municipality on any one claimant shall not exceed \$500,000 when the claim is for death, wrongful act, or omission; and shall not pay more than \$1,500,000 for claims arising out of a single occurrence.

State Statute provides municipalities the opportunity to waive the individual statutory limit to better accommodate claimants that may have been harmed by the City's actions or negligence. However, by waiving the statutory limit there is no limit on the settlement a claimant(s) may receive, and the waiver would apply to all claims. The City's Liability Insurance provider requires a formal action by the City Council designating its intentions.

POLICY OBJECTIVE

Not applicable.

FINANCIAL IMPACTS

Waiving the statutory limits would create greater risk and carry the potential for higher insurance payouts on claims brought against the City.

STAFF RECOMMENDATION

Staff recommends the Council NOT waive the Statutory Liability Limits for 2021.

REQUESTED COUNCIL ACTION

Motion to NOT waive the Statutory Liability Limits for 2021.

Prepared by: Jason C Schirmacher, Assistant Finance Director

Attachments: A: N/A