

To: **EDA President and Board**
Through: **Executive Director Jim Hartshorn**
From: **Finance Director Charlene Stark**
Date: **January 27, 2020**

2020 Liability Coverage Waiver

BACKGROUND INFORMATION:

Each year, the EDA has a renewal process for the EDA's property and liability insurance coverage. The EDA is insured through the League of Minnesota Cities Insurance Trust. The EDA Board each year must decide on how much liability coverage the EDA wishes to purchase. In the past, the EDA has relied on the statutory tort limits established by Minnesota Statute Section 466.04. By not waiving the limit, 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. The other options allow for more potentially recovery for the claimants. If the EDA chose to waive the monetary limits on municipal tort liability established by Minnesota Statute Section 466.04, then claimants could potentially recover up to \$2,000,000 on a single occurrence or more if the EDA were to purchase excess insurance at a great level then \$2,000,000 on a single occurrence.

FISCAL IMPACT:

There is no immediate fiscal impact to the EDA. The 2020 budget is budgeted at the tort limits established by the State of Minnesota.

STAFF RECOMMENDATION:

Staff recommends that the EDA Board continue to rely upon the statutory limits established by Minnesota Statute Section 466.04 to limit loss exposure and that the EDA Board approve of the attached resolution.