



AGENDA ITEM COVER

MEETING DATE: February 26, 2021

AGENDA ITEM TITLE: Insurance

AGENDA SECTION: New Business

BACKGROUND REVIEW:

The sovereign immunity limits for public entities are calculated by the State of Missouri and published annually in the Missouri Register per Section 537.610 RSMo. For 2021, the amount for all claims arising out of a single accident or occurrence is \$2,940,868, and for any one person in a single accident or occurrence is \$441,130.

As a standard practice, the city like most municipalities require organized users of facilities, construction contractors, special event/use activities, etc. to provide limits equal to or greater than the sovereign immunity limits to protect and limit themselves from potential lawsuits.

DIRECTION:

The City Council and City Manager has directed the Parks Commission to provide the City Council with a recommendation on moving forward with enforcement of waiver requirements to seek a balance between protecting the city and recognizing these could be new requirements for some organizations using city facilities.

DISCUSSION:

- 1) Current Rules state "Insurance May be Required" according to guidelines.
 - a. Should Parks Commission be involved in setting/changing those guidelines?
 - b. What should guidelines be?
- 2) If insurance is required, what should the limits of insurance be and what types?
- 3) Should the lessee be required to indemnify the City?
- 4) What should be the scope of the indemnity?
 - a. Just for injuries arising out of activity, or for any injury to any participant, spectator, even if caused by City's negligence.

ACTION:

There must be a motion and a second by a Commission member to make a recommendation and the motion must be approved by the majority of the Commission.

ATTACHEMENTS:

- 1) Insurance Requirements.