



SUBJECT: Authorizations related to transfer of insurance program

TO: Community and Corporate Services Committee

FROM: Legal Department

Report Number: L-18-16

Wards Affected: N/A

File Numbers: 405-01

Date to Committee: September 12, 2016

Date to Council: October 3, 2016

Recommendation:

Authorize the City Solicitor to commence, defend and/or settle legal proceedings deemed necessary by the City Solicitor, for claims up to the amount of the city's insurance deductible for the various policies of insurance;

Authorize the City Solicitor and/or designate to sign any agreements, releases, indemnities, minutes of settlement and other documents required for the settlement of any insurance claims, demands, actions or other proceedings commenced by or against the City of Burlington irrespective of the amount of the City's insurance deductibles; and

Authorize the City Solicitor to be added as a signatory on all accounts related to the insurance reserve.

Purpose:

- An Engaging City
 - Good Governance
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Background and Discussion:

In 2014, the City's deductibles for its municipal liability and errors and omissions policies increased to \$250,000. This increase meant that the City was responsible for all claims under these deductibles. In 2015, the City changed the provider of its insurance program from Frank Cowan Company to Jones Brown Inc. These same deductibles continue to be in place under the new insurance provider.

Recently, and as Council has been advised, the decision was made by the City Manager to transfer the insurance program which is currently in the Finance Department to the Legal Department. The reasons for this change are that the City's insurance deductibles have been increased and the claims being handled by staff involve complex legal issues. Accordingly, the insurance program will be transferred to the Legal Department.

Staff from the Finance and Legal Departments have been meeting regularly to ensure a smooth transfer of the program and it is expected that the full transfer will be completed by October 3, 2016.

In order for the City Solicitor to assume full carriage of the responsibilities associated with this transfer, it is recommended that the City Solicitor be given the authorizations outlined above.

Conclusion:

The purpose of this report is to seek the approvals outlined in the recommendation above.

Respectfully submitted,

Lisa Shields

Assistant City Solicitor

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Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.