

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-07

A RESOLUTION ESTABLISHING MINIMUM REQUIREMENTS FOR LIABILITY INSURANCE; REQUIRING WORKERS COMPENSATION INSURANCE WHERE APPLICABLE; REQUIRING AUTOMOBILE LIABILITY INSURANCE WHERE APPLICABLE; PROVIDING FOR REVIEW OF INSURANCE REQUIREMENTS BY THE HUMAN RESOURCES DIRECTOR; AND RESCINDING RESOLUTION NO. 25786.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the minimum requirements for Liability Insurance are hereby established for all entities and individuals who have or will enter into an agreement, lease, or contract with the City of Coral Gables and/or are obligated to indemnify and hold the City of Coral Gables harmless through a permit, resolution, ordinance or statute that does not contain specific insurance requirements, as hereinafter set forth:

1. That all individuals and entities are required to evidence insurance coverage applicable to residential properties (one to four family dwellings) under a personal liability insurance policy with a minimum limit of liability of \$300,000 per occurrence for Bodily Injury and Property Damage Liability.
2. That all individuals and entities are required to evidence insurance coverage applicable to commercial properties under a commercial general liability insurance policy with a minimum limit of liability of \$500,000 per occurrence for Bodily Injury and Property Damage Liability.
3. That increased limits and/or other types of coverage may be required by the City including, but not limited to special risks.
4. That evidence of such insurance coverage shall be provided to the City in the form of a certificate of insurance that is acceptable to the City, including copies of all required endorsements. The City shall be entitled to receive a complete copy of any required insurance policy for review upon request.

5. That the City shall be named as additional insured on a primary and non-contributory basis, said policy shall be endorsed to include a waiver of subrogation, and contain a "severability of interest" or a "cross liability" clause without obligation of a premium payment by the City.
6. That Insurance Companies providing such coverage shall endeavor to provide the City with 30 days (10 days for non-payment of premium) advance written notice of cancellation if said policies are cancelled or non-renewed for any reason. However, it will be the legal obligation of the individual or entity evidencing insurance coverage to the City to provide by receipted delivery, any notice of cancellation, non-renewal and/or notice of claim to the attention of the City Manager, City Attorney or Human Resources Director
7. That evidence of statutory Workers Compensation coverage is required, where applicable.
8. That evidence of automobile liability insurance with limits of liability equal to or greater than the limits of liability required for personal liability and/or commercial general liability insurance is required, where applicable.
9. That self-insured retentions, self-insurance and/or captive insurance programs are permitted should the City determine that the individual or entity evidencing such coverage has the ability to finance such self-insured retention, self-insurance or captive insurance program. The City may require some form of financial guarantee to allow such self-insured retention, self-insurance and/or captive insurance program.
10. That all insurance policies evidenced to the City or required by the City shall provide coverage for any indemnification and/or hold harmless provision of any City permit, agreement, lease, contract, resolution or ordinance of the City and these instruments shall be considered, at a minimum, insured contracts by definition.
11. That the Human Resources Director or designee shall be responsible for reviewing and approving insurance requirements for compliance with the requirements as set forth herein or as contained within any City permit, agreement, lease, contract, resolution, ordinance and/or statute and is hereby authorized to approve requested waivers of such insurance requirements.
12. That this resolution supersedes Resolution No. 25786 and said resolution shall be and is hereby revoked, repealed and rescinded.

SECTION 2. That said resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHT DAY OF JANUARY, A.D., 2008
(Moved: Cabrera/ Seconded: Anderson)
(Yeas: Cabrera, Kerdyk, Withers, Anderson, Slesnick)
(Unanimous: 5-Vote)
(Agenda Item: H-2)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY