PUBLIC MEETING AGENDA



Risk Management Trust Board In Person Meeting

Wednesday, May 22, 2024

5:00 p.m.

Members of the Board will attend in person.

Meeting Location:

Tempe Public Library Second Floor Small Conference Room 3500 S Rural Rd Tempe, AZ 85283 Other way to connect: Microsoft Teams Join on your computer, mobile app or room device. Join the meeting now Meeting ID: 228 495 823 050 Passcode: U8vQqp Download Teams Join on the web

Or call in (audio only) +1 480-498-8745,,235875989# United States, Phoenix Phone conference ID: 235 875 989#

Written comments regarding agenda items may be submitted via email to <u>alex chin@tempe.gov</u> no later than 5:00 p.m. on Tuesday, May 21, 2024.

- 1. Call to Order
- 2. Approval of the March 13th, 2024, Board Meeting Minutes
- 3. Alliant 2024/25 Insurance Renewal Marketing Status Update

4. Board Member & Staff Announcements

Board members and staff may make announcements regarding current events that are not listedon the agenda. No discussion or legal action will be taken regarding these announcements.

5. Public Appearances

The Risk Management Trust Board welcomes public comment. According to the Arizona Open Meeting Law, the Board may only discuss matters listed on its meeting agendas. Matters brought-up by the public under public appearances that are not listed on the meeting agenda cannot be discussed by the Board. A three-minute time limit per person will be in effect.

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. Special assistance is available at public meetings for sight and/or hearing-impaired persons. To request an accommodation, please contact the City Clerk's Office within 72 hours' advance notice to ensure availability at 480-350-4311 (voice) or 7-1-1 (relay users) or at <u>clerk@tempe.gov</u>.



Minutes Risk Management Trust Board March 13, 2024

Minutes of the Risk Management Trust Board meeting held in person at the Tempe Public Library and virtually via Cisco Webex on March 13, 2024, at 4:00 p.m.

Board Members Present:

Heather Bilodeau Jerry Hart Corey D. Woods Tom Duensing, Deputy City Manager – Chief Financial Officer

City Staff Present:

Chris Hansen, Risk Manager

Lisette Camacho, Financial Services Director

Nichole Martinez, Workers' Compensation Program Specialist Alex Chin, Executive Assistant

Guests Present:

Pamela Dominguez, Alliant Insurance Services, Inc. Shawn Kraatz, Alliant Insurance Services, Inc.

Board Members Absent:

Robin Arredondo-Savage

Agenda Item 1 – Call to Order:

Chair Tom Duensing called the meeting to order at 5:02 p.m.

Agenda Item 2 – Approval of June 27th, 2023, Board Meeting Minutes:

Motion by Jerry Hart to approve, second by Heather Bilodeau.

Ayes: Chair Duensing, Board members: Bilodeau, Hart, and Woods. Nays: None

Motion passed on a vote of 4-0.

Agenda Item 3 – Annual RMTB Report:

Lisette Camacho, Financial Services Director, presented the annual report, highlighting key financial data for fiscal years (FY) 2022-2023 and projections for 2023-2024. Risk management expenditures decreased by \$2.6 million in FY 2022-2023 due to fewer large claims than in FY 2021-2022 (vehicle accidents, officer-involved shooting). Workers' compensation expenditures totaled \$2.3 million, an increase of \$545,000 compared to FY 21-22. Total Premiums were \$2.5 million, decreased by \$161,000.

As of December 31st, 2023, for FY 23-24, Risk management claims were at \$769,000 (60% of the budget). Workers' compensation expenditures were \$1.6 million (71% of the budget). Premiums were at \$2.2 million (71% of the budget). Department charges were at \$5.3 million (63% of the budget), mainly from Police and Municipal Utilities. Overall, claims are trending downward, but the increase in workers' compensation claims is presumptive cancer claims.

The board had no questions about the report.

Motion by Jerry Hart to move forward the Annual RMTB Report to the full Tempe City Council per the city code, seconded by Corey D. Woods.

Ayes: Chair Duensing, Board members: Bilodeau, Hart, and Woods. Nays: None

Motion passed on a vote of 4-0.

The board approved sending the Annual RMTB Report to the Tempe City Council.

Agenda Item 4 – Workers' Compensation Full & Final Settlement

Chris Hansen, Risk Manager, provided an update regarding a workers' compensation settlement. A claim valued at \$1.1 million was identified for potential settlement. The city's self-insured retention is \$500,000. The city entered into this agreement as it has been determined that the claimant's life expectancy is 22 years. Rather than keeping this claim open for 22 years, the city decided to go into a settlement agreement so that the claim could be closed. The claimant, a former city employee, would get the money covering their medical and some cash with an annuity setup. The claimant agreed to the settlement. The total settlement value is \$250,000, an annuity for \$175,000, and the city receives \$150,000 back from Safety National. This settlement will be on the agenda for the March 21st Regular Council Meeting for full council approval.

Motion by Heather Bilodeau to move forward with the full and final settlement as presented, seconded by Jerry Hart

Ayes: Chair Duensing, Board members: Bilodeau, Hart, and Woods. Nays: None

Motion passed on a vote of 4-0.

The board approved the Workers' Compensation Full & Final Settlement

Agenda Item 5 – State of the Market – Alliant Insurance Services

Pamela Dominguez and Sean Kraatz from Alliant presented an overview of the insurance market, focusing on:

• Market Conditions:

- Property: Hard market due to catastrophic losses.
- Liability: Capacity pulled back due to social inflation and litigation financing.
- Workers' Compensation: Stable, with single-digit increases expected.

- Cyber: Capacity improved, but ransomware remains a concern.
- Disruptors:
 - o Liability: Rising vehicle costs, increased fatalities, nuclear verdicts.
 - Workers' Compensation: Aging workforce, inflation, cancer presumptions, PTSD presumptions.
- Emerging Risks: AI, telematics, biometrics, environmental risks, mental health.
- Renewal Outlook for City of Tempe:
 - Property: Not to exceed 10% increase.
 - Cyber: 10% increase expected.
 - Workers' Compensation: Single-digit increase expected.

By the middle of April, Alliant will have a better indication on the insurance renewal.

Agenda Item 6 - Board Member and Staff Announcements

Tom Duensing, Deputy City Manager – Chief Financial Officer, announced he will be retiring on July 5th, 2024. A new chair will be decided after the fiscal year.

Agenda Item 7 – Public Appearances

There were no public appearances.

The meeting was adjourned at 5:50 p.m.

Minutes prepared by: Alex Chin Reviewed by: Chris Hansen

City of Tempe, AZ 2024-2025 Property & Casualty Insurance Renewal & Marketing Updates Presentation

Shawn M. Kraatz, SVP Pamela Dominguez, VP Joan Boxwell, Account Manager Lead Presented: May 22, 2024 RMTB Meeting



Premium Comparison 2024/25

ty of Tempe			
	2023	2024	% Change
COVERAGE			
Property	\$465,500	\$510,000	9.6%
Inland Marine	\$130,837.99		-100.0%
Auto Physical Damage	\$68,324		-100.0%
Excess Liability: \$5M xs SIR	\$418,217	\$468,593	12.0%
Excess Liability: \$5M xs \$5M xs SIR	\$297,224	\$356,845	20.1%
Excess Liability: \$5M xs \$10M xs SIR	\$216,844		-100.0%
Excess Liability: \$5M xs \$15M xs SIR	\$212,841		-100.0%
Excess Liability: \$5M xs \$20M xs SIR	\$178,020		-100.0%
Excess Liability: \$5M xs \$25M xs SIR	\$142,500		-100.0%
Excess Liaiblity Total	\$1,465,646	\$825,438	-43.7%
Excess Workers Compensation	\$560,255	\$543,420	-3.0%
International Package	\$2,500	\$2 <mark>,</mark> 500	0.0%
Pollution	\$39,316	\$40,806	3.8%
Cyber	\$120,711	\$120,711	0.0%
Fiduciary	\$31,254	\$31,254	0.0%
Fiduciary Excess	\$17,100	\$17,100	0.0%
Aviation	\$15,495	\$19,501	25.9%
Crime	\$9,993	\$9,999	0.1%
GRAND TOTAL	\$2,926,931	\$2,120,729	-27.5%



Property

	2023-2024	2024-2025
Carrier:	Travelers	Travelers
Limits:	\$100M Policy Limit \$1M EDP \$10M Earthquake \$5M Flood _{Zone A} \$10M Flood All Other \$100M Boiler & Machinery \$5,378,288 Fine Arts \$10M Newly Constructed	\$100M Policy Limit \$1M EDP \$10M Earthquake \$5M Flood _{Zone A} \$10M Flood All Other \$100M Boiler & Machinery \$5,787,784 Fine Arts \$10M Newly Constructed \$3,196,286 Contractors Equipment
Deductibles:	\$500K Earthquake \$500K xs NFIP \$500K Flood All Other \$500K Boiler & Machinery \$500K Any Other Loss	\$500K Earthquake \$500K xs NFIP \$500K Flood All Other \$500K Boiler & Machinery \$500K Any Other Loss
Premium:	\$465,500	\$510,000





2024-2025 Policy Changes/Comments:

- Travelers required a 3% increase in Building Schedule values
- 2023 TIV \$1,341,095,328
- 2024 TIV \$1,390,690,821
- 2023 Rate: .0347
- 2024 Rate: .0367
- New/Updated Endorsements
 - Electronic Vandalism and Other Changes MSC2190123
 - Contractors Equipment MSC3091018
 - Digital Assets Exclusion Digital Currency and Non-Fungible Tokens MSC3660123
- Recommendations from Travelers Surveys from this prior year
 - 255 E. Marigold Lane, Tempe, AZ Inspection/testing of clean agent Fire Suppression System
 - 6600 S. Price Road, Tempe, AZ Sprinklers Clearance to Obstructions

Alliant

• TRIA Option: \$14,160 Additional Premium

Inland Marine Dam & Mill Avenue Bridge

	2023-2024	2024-2025
Carrier:	Chubb	Chubb
Limits:	\$91,583,940 Policy Limit \$91,583,940 Earthquake \$25M Flood \$91,583,940 Named Windstorm	\$91,583,940 Policy Limit \$91,583,940 Earthquake \$25M Flood \$91,583,940 Named Windstorm
Deductibles:	\$250K Earthquake \$500K Flood \$250K Named Windstorm \$250K Any Other Loss	\$250K Earthquake \$500K Flood \$250K Named Windstorm \$250K Any Other Loss
Premium:	\$130,837.99 (\$6,037 TRIA) (Incl. TRIA SL Tax/Fee)	\$ *Quote Pending Release



Auto Physical Damage

	2023-2024	2024-2025
Carrier:	Lexington Insurance Company	Lexington Insurance Company
Limits:	 \$10M Policy Limit \$10M VPD Occurrence Limit \$1.3M Vehicle Limit \$5M Earth Movement \$5M Flood \$2.5M Special Flood Hazard Areas \$250k Newly Acquired Vehicles 	 \$10M Policy Limit \$10M VPD Occurrence Limit \$1.3M Vehicle Limit \$5M Earth Movement \$5M Flood \$2.5M Special Flood Hazard Areas \$250k Newly Acquired Vehicles
Deductibles:	\$150,000 Each claim for loss or damage	\$150,000 Each claim for loss or damage
Premium:	\$68,323.56 (Incl. SL Tax/Fee)	\$ *Quote Pending Release



General Liability Primary

	2023-2024	2024-2025
Carrier:	Safety National Casualty Corporation	Safety National Casualty Corporation
Limits:	\$5M/\$5M General Liability \$5M/\$5M Law Enforcement \$5M/\$5M Public Officials Liability \$5M/\$5M Employment Practices \$5M Auto Liability	\$5M/\$5M General Liability \$5M/\$5M Law Enforcement \$5M/\$5M Public Officials Liability \$5M/\$5M Employment Practices \$5M Auto Liability
Retentions:	 \$2M General Liability, Public Officials & Employment Practices \$5M Law Enforcement & Auto Liability 	 \$2M General Liability, Public Officials & Employment Practices \$5M Law Enforcement & Auto Liability
Premium:	\$418,217 (Including TRIA and SL Fees/Taxes)	\$468,593 (Including TRIA and SL Fees/Taxes)



General Liability Primary

2024-2025 Policy Changes/Comments:

- No notable changes to terms and/or conditions
- 11% premium increase (6.4% exposure increase + 5% rate increase)
- TRIA premium \$1,228.00



General Liability Excess

2023-2024 Current Structure: Excess Premium \$1,057,567

Alliant

\$5M x \$5M x SIR (2nd Layer) – Homesite Insurance Co.

- \$7M General Liability
- **\$7M Employee Benefits Liability**
- \$7M Public Officials & Employment Practices Liability
- \$10M Auto Liability
- \$202,464

\$5M x \$5M x SIR (2nd Layer) – Indian Harbor Insurance Co.

- \$10M Law Enforcement Liability
- \$104,898

<u>\$5M x \$10M x SIR (3rd Layer) – Upland E&S</u>

- None-Underlying
- \$216,844

<u>\$5M x \$15M x SIR (4th Layer) – Gemni Insurance Company</u>

- None-Underlying
- \$212,841

\$5M x \$20M x SIR (5TH Layer) – Arch Insurance Company

- None-Underlying
- \$178,020

\$5M x \$25M x SIR (6th Layer) – Great American Custom None-Underlying

- \$142,500

General Liability Excess

2024-2025 Current Structure: Excess Premium:

<u>\$5M x \$5M x SIR (2nd Layer) – Upland Specialty Insurance Company</u>

- \$7M General Liability
- \$7M Employee Benefits Liability
- \$7M Public Officials & Employment Practices Liability
- \$10M Auto Liability
- \$10M Law Enforcement Liability
- \$356,845

*Quotes Pending for:

\$5M x \$10M x SIR (3rd Layer) \$5M x \$15M x SIR (4th Layer) \$5M x \$20M x SIR (5TH Layer) \$5M x \$25M x SIR (6th Layer)

*Total Excess Premium: Pending – NTE 20%



Excess Liability

2024-2025 Policy Marketing Updates:

 3rd Layer: Replacing Homesite and Indian Harbor with Upland. Upland able to \$5M xs \$5M and include LEL. Indian Harbor is no longer an option to write in this layer.



Excess Workers Compensation

	2023-2024	2024-2025
Carrier:	Safety National Casualty Corporation	Safety National Casualty Corporation
Limits:	Coverage A – Workers Compensation: Statutory Coverage B – Employers Liability: \$5M/\$5M/\$5M	Coverage A – Workers Compensation: Statutory Coverage B – Employers Liability: \$5M/\$5M/\$5M
Retentions:	\$2M – Presumptive Loss \$1.25M - All Other	\$2.5M – Presumptive Loss \$1.25M - All Other
<i>Estimated</i> Premium:	\$560,255.00 (Includes TRIA)**	\$543,420.00 (Includes TRIA)**



Excess Workers Compensation

2024-2025 Policy Changes/Comments:

- Safety National
 - SIR Presumptive Loss has increased to \$2.5M from \$2M
 - 7% rate reduction



International Package

	2023-2024	2024-2025
Carrier:	Ace American Insurance Company	Ace American Insurance Company
Limits:	 \$1M Each Occurrence \$2M Products-Completed Operations Aggregate \$1M Employee Benefits Liability \$1M Contingent Auto Liability \$1M Executive Assistance Services \$1M Employers Liability \$250k AD&D \$10k Medical Expense \$1.5M AD&D Aggregate \$250k Corporate Kidnap and Extortion 	 \$1M Each Occurrence \$2M Products-Completed Operations Aggregate \$1M Employee Benefits Liability \$1M Contingent Auto Liability \$1M Executive Assistance Services \$1M Employers Liability \$250k AD&D \$10k Medical Expense \$1.5M AD&D Aggregate \$250k Corporate Kidnap and Extortion
Retentions:	N/A	N/A
Premium:	\$2,500	\$2,500



International Package

2024-2025 Policy Changes/Comments:

• No notable changes to terms and/or conditions





	2023-2024	2024-2025
Carrier:	Ironshore Specialty Insurance Company	Ironshore Specialty Insurance Company
Limits:	\$5M Policy Aggregate Limit \$5M Remediation Expenses	\$5M Policy Aggregate Limit \$5M Remediation Expenses
Deductibles:	\$100k Remediation Expenses	\$100k Remediation Expenses
Premium:	\$39,315.70 (Incl TRIA and SL Tax/Fee)	\$40,805.97 (Incl TRIA and SL Tax/Fee)





2024-2025 Policy Changes/Comments:

- New/Updated Endorsements
 - Site-Specific Definition of Pollutants Amendment to Not Include Mold Matter - Scheduled Covered Property(ies):
 - 2101 E Apache Blvd, Tempe, AZ 85281
 - Apache Shopping Center, 1511-1537 E. Apache Blvd, Tempe, AZ 85281
 - Tempe Municipal Operations Center, Phase 2, 2060 W. Rio Saldo Pkwy, Tempe, AZ
 - Apache Central Center, 1328-1348 E. Apache Blvd., Tempe, AZ 85281
 - Hayden Flour Mill, Mill & Rio Saldo, Tempe, AZ
 - Site Specific Specified Conditions Exclusion Endorsement New
 - Exclusion of Terrorism If TRIA is Rejected New



2023-2024 2024-2025 **Carrier:** Houston Casualty Company Houston Casualty Company Limits: \$3M Policy Limit \$3M Policy Limit \$3M Multimedia Liability \$3M Multimedia Liability \$3M Security & Privacy Liability \$3M Security & Privacy Liability Insurance Insurance \$3M Privacy Regulatory Defense \$3M Privacy Regulatory Defense and Penalties and Penalties \$3M PCI DSS Liability \$3M PCI DSS Liability \$250K Bodily Injury \$250K Bodily Injury

\$50K Property Damage

\$500K Cyber Extortion

Alliant

\$50K TCPA Defense

\$50K Property Damage

\$500K Cyber Extortion

\$50K TCPA Defense

ber



	2023-2024	2024-2025
Retentions:	 \$250K Aggregate Deductible \$250K per Insuring Agreement Brand Guard: 2 Weeks Waiting Period 12 Months Period of Indemnity System Failure Non-Physical BI: 8 Hours Waiting Period 12 Months Period of Restoration Dependent System Failure: 12 Hours Waiting Period 6 Months Period of Indemnity 	 \$250K Aggregate Deductible \$250K per Insuring Agreement Brand Guard: 2 Weeks Waiting Period 12 Months Period of Indemnity System Failure Non-Physical BI: 8 Hours Waiting Period 12 Months Period of Restoration Dependent System Failure: 12 Hours Waiting Period 6 Months Period of Indemnity





	2023-2024	2024-2025
Premium:	\$120,711.22 (Incl. SL Tax/Fee and policy fee)	\$120,711.22 (Incl. SL Tax/Fee and policy fee)





2024-2025 Policy Changes/Comments:

- Flat renewal premium
- New/Updated Endorsements
 - Biometric Claims Sublimit \$250,000 Each Biometric Claim/\$250,000 Aggregate (Increased from \$100,000)

Alliant

- War and Cyber Operations Exclusion New
- Optional Quotes Resilience
 - Essential Package: \$93,561.20
 - Edge Package: \$104,921.20

Fiduciary

	2023-2024	2024-2025
Carrier:	Hudson Insurance Company (FLIP)	Hudson Insurance Company (FLIP)
Limits:	 \$10M Aggregate Limit \$10M Settlor Coverage \$2M Trustee Claims Expense/Defense of Non-Fiduciary Claims \$500K Voluntary Compliance Program Expenditures \$250K Reinstatement of Voluntary Compliance Program Expenditures \$1.5M HIPAA and HITECH Fines and Penalties \$250K ERISA 502(c) Civil Penalties \$250K IRC Section 4975 Penalties 	 \$10M Aggregate Limit \$10M Settlor Coverage \$2M Trustee Claims Expense/Defense of Non-Fiduciary Claims \$500K Voluntary Compliance Program Expenditures \$250K Reinstatement of Voluntary Compliance Program Expenditures \$1.5M HIPAA and HITECH Fines and Penalties \$250K ERISA 502(c) Civil Penalties \$250K IRC Section 4975 Penalties



Fiduciary

	2023-2024	2024-2025
Carrier:	Hudson Insurance Company (FLIP)	Hudson Insurance Company (FLIP)
Limits:	 \$250K Coverage for Claims of Equitable Relief and Surcharges \$100K Miscellaneous/Other Penalties \$1M Death Master File Penalties (Bipartisan Budget Act of 2013) \$100K Benefit Overpayments 	 \$250K Coverage for Claims of Equitable Relief and Surcharges \$100K Miscellaneous/Other Penalties \$1M Death Master File Penalties (Bipartisan Budget Act of 2013) \$100K Benefit Overpayments



Fiduciary

	2023-2024	2024-2025
Retentions:	 \$25K Indemnifiable \$0 Non-Indemnifiable \$100K Each Claim for Class Action and Derivative Claims 	 \$25K Indemnifiable \$0 Non-Indemnifiable \$100K Each Claim for Class Action and Derivative Claims
Premium:	\$31,154 \$Included TRIA <u>\$ 100 Waiver of Recourse</u> \$31,254 Total	\$31,154 \$Included TRIA <u>\$ 100 Waiver of Recourse</u> \$31,254 Total



Fiduciary Excess

Carrier:RLI Insurance CompanyRLI Insurance CompanyLimits:\$5M excess of \$10M Aggregate Limit\$5M excess of \$10M Aggregate LimitRetentions:Not ApplicableNot ApplicablePremium:\$17,100 (Incl TRIA)\$17,100 (Incl TRIA)		2023-2024	2024-2025
Aggregate LimitAggregate LimitRetentions:Not ApplicableNot Applicable	Carrier:	RLI Insurance Company	RLI Insurance Company
	Limits:		
Premium: \$17,100 (Incl TRIA) \$17,100 (Incl TRIA)	Retentions:	Not Applicable	Not Applicable
	Premium:	\$17,100 (Incl TRIA)	\$17,100 (Incl TRIA)



Fiduciary and Fiduciary Excess

2024-2025 Policy Changes/Comments:

• No notable changes to terms and/or conditions



Crime

	2023-2024	2024-2025
Carrier:	National Union Fire Insurance Company of Pittsburgh, PA	National Union Fire Insurance Company of Pittsburgh, PA
Limits:	 \$2M Employee Theft- Per Loss \$2M Forgery or Altercation \$2M Inside Premises – Theft of Money & Securities \$2M Inside Premises-Robbery, Safe Burglary-Other Property \$2M Outside the Premises \$2M Computer Fraud \$2M Funds Transfer Fraud \$2M Money Orders and Counterfeit Paper Currency 	 \$2M Employee Theft- Per Loss \$2M Forgery or Altercation \$2M Inside Premises – Theft of Money & Securities \$2M Inside Premises-Robbery, Safe Burglary-Other Property \$2M Outside the Premises \$2M Computer Fraud \$2M Funds Transfer Fraud \$2M Money Orders and Counterfeit Paper Currency
Deductible:	\$25K Each Coverage	\$25K Each Coverage
Premium:	\$9,993.00	\$9,999.00





2024-2025 Policy Changes/Comments:

• No notable changes to terms and/or conditions



Aviation/Drone

	2023-2024	2024-2025
Carrier:	Global Aerospace	Global Aerospace
Limits:	\$2M Bodily Injury and Property Damage Limit Each Occurrence Limit \$2M Aviation Personal and Advertising Injury Liability \$5K Medical Services Limit \$100K Fire Legal Liability Hull Value as per Schedule of Aircrafts	\$2M Bodily Injury and Property Damage Limit Each Occurrence Limit \$2M Aviation Personal and Advertising Injury Liability \$5K Medical Services Limit \$100K Fire Legal Liability Hull Value as per Schedule of Aircrafts
Retentions:	5% In Motion 5% Not In Motion	10% In Motion10% Not In Motion
Premium:	\$15,495 Premium (Includes TRIA)	\$19,501 Premium (Includes TRIA)



Aviation/Drone

2024-2025 Policy Changes/Comments:

- 24-25 Drone Count: 20
- 23-24 Drone Count: 19
- Retention increased from 5% to 10% market norm
- Quote includes TRIA



Alliant Deadly Weapon Program

	2024-2025
Carrier:	Underwriters at Lloyd's of London
Limits:	\$500,000 Each and Every Deadly Weapon Event including Claim Expenses \$500,000 Annual Aggregate
Retentions:	\$10,000 Each and Every Deadly Weapon Event including Claims Expenses
Premium:	*Discuss w/ RMTB – quote pending

