

ORDINANCE NO. 82-23

**AN ORDINANCE ACCEPTING THE CYBER LIABILITY INSURANCE
PROPOSAL SUBMITTED BY McGOWAN GOVERNMENT UNDERWRITERS
AND DECLARING AN EMERGENCY**

WHEREAS, the City cyber liability insurance policy will expire June 30, 2023; and

WHEREAS, McGowan Government Underwriters, the City's insurance broker, presented various options/proposals for renewal to the Finance Director and the Assistant Finance Director on June 5, 2023; and

WHEREAS, during the 2022-2023 policy year the City had no claims against this coverage and as such, the Administration is of the opinion that the City's loss control procedures have been effective; and

WHEREAS, the City's current cyber liability policy is with Houston Casualty Company; the policy has a limit of \$2,000,000, an annual premium of \$25,928 and a deductible of \$50,000; and

WHEREAS, in light of the increasing frequency of cyber attacks and other potential internet security breaches, the Administration feels that increasing our cyber liability limits is in the City's best interest; and

WHEREAS, the policy the Administration recommends is with Houston Casualty Company & AMWINS with a limit of \$2,000,000, a deductible of \$25,000 and an annual premium of \$23,120 and;

WHEREAS, Council finds that entering into said contract with Houston Casualty & AMWINS on or before July 1, 2023 to be in the best interest of the health, safety and welfare of the citizens of Avon in maintaining cyber liability coverage for the City without interruption.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That Council hereby approves the recommendation of the administration and accepts the complete cyber liability insurance policy proposal as submitted by Houston Casualty Company & AMWINS purchased through the McGowan Government Underwriters in the amount of Twenty-Three Thousand One Hundred and Twenty Dollars and No Cents (\$23,120.00), a copy of their quote being attached hereto as Exhibit A and incorporated herein by this reference. A copy of the policy is maintained on file and open to review in the Finance Department.

Section 2 – That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in

such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 – That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to provide for the City's cyber liability insurance coverage for another twelve (12) months prior to the expiration of the current policy on June 30, 2023; therefore, this Ordinance shall be in full force and effect immediately upon its passage by this Council and approval by the Mayor.

PASSED: June 26, 2023 DATE SIGNED: June 26, 2023

BY: Brian Fischer
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR: June 27, 2023

[Signature]
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

POSTED: June 28, 2023
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 82-23, passed by the Council of said City on June 26, 2023.

IN WITNESS WHEREOF, I have on this 27th day of June, 2023, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A TO ORDINANCE NO. 82-23

The City of Avon, OH Insurance Comparison
2023-2024 Coverage Period

Agent Insurance Company	Gallagher Travelers	McGowen Zurich Ins	Jackson US Specialty
Coverages	Premium	Premium	Premium
Property	\$63,113	Inc	Inc
Inland Marine	\$3,778	Inc	Inc
General Liability	\$82,864	Inc	Inc
Automobile	\$47,103	Inc	Inc
Umbrella	\$19,747	Inc	Inc
Law Enforcement Liability	\$25,575	Inc	Inc
Public Entity EPLI	Inc	Inc	Inc
Public Entity Management Liability	Inc	Inc	Inc
Employers Overhead Liability	Inc	Inc	Inc
Total Premium- Individualized	\$242,180	\$0	\$0
Package Premium	\$216,605	\$216,777	\$229,992
Cyber - \$25K Retention-1	\$23,120	\$23,120	\$23,120
Service Fee*	\$30,000	\$0	\$0
Total Cost	\$269,725	\$239,897	\$253,112

* Gallagher's quote for the package does not include commissions. Instead they proposed the flat service fee.

1- Each entity would utilize the same Cyber Coverage which would require the City to issue a BOR letter .

Agent Insurance Company	Gallagher Travelers	McGowen Zurich Ins	Jackson US Specialty
Coverages			
Property	\$ 97,399,391.00	\$ 97,890,356.00	\$ 102,179,290.00
-deductible	\$ 25,000.00	\$ 5,000.00	\$ 10,000.00
Inland Marine	\$ 2,717,281.00	\$ 3,685,237.00	\$ 4,493,759.00
-deductible	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00
General Liability	\$ 2,000,000.00	\$ 3,000,000.00	\$ 3,000,000.00
-deductible	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
	\$ 10,000.00	\$ -	\$ -
Automobile	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
-deductible	\$ 1,000.00	\$ -	\$ -
Umbrella	\$ 9,000,000.00	\$ 9,000,000.00	\$ 9,000,000.00
-deductible	\$ 10,000.00	\$ -	\$ -
Law Enforcement Liability	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
-deductible	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00
Public Entity POL	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
-deductible	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00
Public Entity Management Liability	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
-deductible	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00
Employment Practices Liability	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
-deductible	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Cyber	\$ 2,000,000.00	\$ 2,000,000.00	\$ 2,000,000.00
-deductible	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00