FIRST READING: 11.8.21
SECOND READING: 11.22.21
THIRD READING: 12.13.21

AMENDED ORDINANCE NO. 89-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE CITY OF ROCKY RIVER WITH McGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2022 AT A TOTAL COST OF $265,264.00, AS FURTHER DESCRIBED IN EXHIBIT "A" AND EXHIBIT "B"

WHEREAS: the Mayor and the Director of Public Safety Service contracted with Crain, Langner & Company to facilitate the renewal process with McGowan Insurance for their 2022 renewal proposals, binders and securing alternative quotes for Cyber Liability and Commercial Crime policies with higher coverage; and

WHEREAS: the Mayor and Director of Public Safety Service have determined it is in the best interest of the City to accept the recommendation from Crain, Langner & Company to renew insurance coverages for the City from McGowan Insurance, insurance agents and as underwritten by Zurich American Insurance Company including an increase in coverage for Cyber Liability, Commercial Crime and Uninsured and Under Insured Motorists, in the amount of Two Hundred Sixty Five Thousand Two Hundred Sixty Four Dollars and 00/100 ($265,264.00), as further described in Exhibit "A" and Exhibit "B".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That the Mayor and Director of Public Safety Service for the City of Rocky River are hereby authorized to enter into an agreement for various insurance coverage for the City of Rocky River through McGowan Insurance Company, insurance agents and as underwritten by Zurich American Insurance Company in the amount of Two Hundred Sixty Five Thousand Two Hundred Sixty Four Dollars and 00/100 ($265,264.00), as further described in Exhibit "A" and Exhibit "B".

SECTION 2. That the net cost of the purchase of said insurance coverage shall be appropriated and paid from as allocated to various funds of the City.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety and for the further reason that the current policy items will expire on January 1, 2022, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: December 13th, 2021

James W. Moran
JAMES W. MORAN
President of Council

PRESENTED
TO MAYOR: December 13th, 2021

APPROVED: December 13th 2021

ATTEST:

Susan G. Pease
SUSAN G. PEASE
Clerk of Council

Pamela E. Bobst
PAMELA E. BOBST
Mayor

It is hereby certified that the amount required for the execution of this Ordinance has been lawfully appropriated or authorized or directed for such purpose and is in the treasury or in the process of collection to the credit of the funds described herein free from any obligation or certification now outstanding.

Michael Thomas
MICHAEL THOMAS
Director of Finance

Nakonek/S/Ordinances & Resolutions/2021 Ordinances/2022 City Insurance Renewal

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 13th day of December, 2021.

Susan G. Pease
Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 89-21 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 13th DAY OF December 20 21 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 89-21

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 13th DAY OF December, 20 21.

Susan G. Deau

CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

Exhibit "A"

330/659-3142

CRAIN, LANGNER & CO.

ANALYSTS AND CONSULTANTS
RISK AND INSURANCE MANAGEMENT
3728 WAITLEY DRIVE
P.O. BOX 531
RICHFIELD, OH 44286

November 3, 2021

Maureen Nakonek
Safety-Service Coordinator
City of Rocky River
21012 Hilliard Boulevard
Rocky River, Ohio 44116

Re: Proposal Review - Property and Casualty Insurance
Policies Effective 1/1/22 – 1/1/23

Dear Ms. Nakonek:

This letter summarizes Crain, Langner's review of the quotes presented by McGowan for the City of Rocky River's (City) Insurance renewal. The Rocky River Wastewater Treatment Plant (WWTP) and the Rocky River Municipal Court (Court) were added into the City's main insurance program at last year's renewal and are included in the coverages discussed below. The renewal date is January 1, 2022 for all of the City's Property and Casualty Insurance coverages.

The proposed insurance program is to be effective for the period of January 1, 2022, to January 1, 2023. The total projected annual premium for the City, WWTP, and Court would be approximately $345,018 excluding terrorism coverage (TRIA) or $349,863 with TRIA included. Projected annual premium broken out for the City, WWTP, and Court excluding TRIA are $247,966, $90,093, and $6,859 respectively. Premiums including TRIA for the City, WWTP, and Court are $251,521, $91,384, and $6,958 respectively. We recommend continuing to purchase TRIA coverage for all lines.

This compares to the expiring program premiums for the City, WWTP and Court of $249,469, $80,478, and $221,508, respectively. These premium figures including TRIA coverage correspond to an estimated increase in annual fixed costs of 14% for the City, WWTP, and Court, compared to expiring. The overall total insurance spend is still slightly below the 2019-20 expenditure prior to the marketing process.

	2021 Total Premium (incl. TRIA)	2022 Total Premium (incl. TRIA)	$ Change	% Change
City	$221,508	$251,521	$30,013	14%
WWTP	$80,478	$91,384	$10,906	14%
Court	$6,102	$6,958	$856	14%
Total	$308,088	$349,863	$41,775	14%

DISCUSSION

We reviewed the various Property and Casualty insurance proposals submitted to the City of Rocky River by the incumbent agent, McGowan for the 2022 insurance program renewal. We are pleased with the responsiveness of the incumbent insurers and support renewing the current program for 2022. Crain, Langner supports a full marketing of the City's insurance program only every three to five years. The program was marketed last year for the 2021 renewal.

A. **INSURERS** – The following insurers participate in the City's insurance program.

Agent/Agency	Insurer/Plan	AM Best Rating/ Financial Size
Patrick Muscenti/McGowan Insurance	Zurich	A+, XV
	American Alternative	A+, XV
	Travelers	A++, XV
	BCS Insurance	A, VIII
	Various Lloyds'	

B. **KEY REMARKS**

After a full marketing process for the 2021 renewal, Crain, Langner was asked to review McGowan's performance over the last year as well as the quotes presented by McGowan for the 2022 renewal. After the 2021 renewal, Crain, Langner helped facilitate the City entering into a Professional Services Agreement with McGowan. Overall, we are pleased with responsiveness of McGowan and their timeliness to be able to be able to deliver quotes for the bulk of the City's insurance program sixty days before the renewal. Delivering quotes this far in advance of the renewal is certainly unusual in today's volatile market and speaks to McGowan's time management and relationship with the carriers utilized on the City's insurance program.

The Zurich package policy was quoted with a 10% rate increase for the 2022 renewal, and exposures are up with the addition of the Police Station. Cyber Liability premium increased $5,130 or 53% over expiring. With a flat renewal for the Active Assailant and Excess coverage, and a minor increase in the Hull Protection & Indemnity policy, the total insurance spend is still lower than the total spend in 2019-20, before the 2021 marketing process.

The insurance market has remained extremely hard over the past 12 months, although increases are starting to flatten slightly with the exception of Cyber Liability. Most insureds are experiencing Cyber Liability premium increases as high as 50% to 100%, or are losing coverage altogether if they do not have the proper controls in place such as multi-factor authentication. The City, WWTP, and Court should be commended for continuing to operate in such a fashion to generate superior insurance company interest and premium results.

C. **PROGRAM CHANGES AND RECOMMENDATIONS**

1. **Coverage Comparison** – The City conducted a full competitive marketing process (RFP) last year. That process resulted in remaining with McGowan and changing the lead insurer from Travelers to Zurich. The options presented for this renewal do not include many major program changes. For the most part, coverage is renewing as-is with no changes in insurers, limits, or deductibles. The Cyber Liability market has been extremely stressed the past 12 months and the majority of insureds are seeing large increases or sometimes even an inability to purchase coverage. To prevent this from happening to the City the decision was made to seek multiple Cyber Liability quotes rather than only reaching out the incumbent, BCS Insurance. McGowan presented two competitive proposals from BCS insurance and Zurich. Crain, Langner & Co. recommends the following option be accepted by the City:

a. Cyber Liability – Recommend binding coverage with BCS Insurance Company for $14,818. Coverage including limits and deductibles are the same as expiring. Premium is up $5,130 or 53% over expiring. A second option was presented by Zurich with a premium indication of about $11,000. The coverage terms provided by Zurich are inferior to the incumbent, BCS. For example, Zurich provides a $250,000 limit for Cyber Extortion, where BCS provides full policy limits of $1,000,000. BCS also provides coverage for Bricking and Social Engineering which is not offered in the Zurich option.

2. Crime coverage – We believe the City should consider purchasing higher limits as financial resources permit. The current policy limit is $100,000. As part of the program review last year Crain, Langner recommend requesting options for $500,000 and one was presented but not selected. This year an option for $200,000 was requested on the application, but the quote still listed the same $100,000 limit as expiring. Recommend requesting options for higher limits. McGowan is requesting higher limits, but options were not available as of this letter.

3. Flood and Earthquake Coverage – The City currently purchases limits of $1,000,000 for Flood and Earthquake coverage. We recommend the City consider purchasing increased limits that better correspond to the locations and the concentrated values at the Hilliard Boulevard complex and Service Garage and WWTP on Lake Road.

4. Business Income Limits – During the RFP in 2020 Business Income limits were set at $500,000. We recommend reevaluating this exposure given the uptick in activity stemming from relaxed Covid restrictions for the City's revenue generating facilities. A higher limit may result in an additional premium charge. McGowan has requested options for increased Business Income limits, but quotes were not available as of this letter.

5. Underinsured Motorist/Uninsured Motorist Coverage – According to McGowan, Zurich is strongly recommending that UM/UIM coverage be declined. The current quoted limit is $50K, which is the same as expiring. Zurich feels this coverage is somewhat redundant for a municipality and can result in municipal employees receiving additional payouts for claims covered under other policies. The UM/UIM decision often involved evaluating vehicle use and both governmental clients and non-governmental clients consider whether they transport any persons other than employees, and if so, how often and for what purposes, e.g., day camp busses. An alternative to declining coverage altogether is to reduce this limit to $25,000.

6. Panel Counsel – The City would like to be able to select defense counsel. Currently Zurich has the right to select counsel, however, the City's indicated preferred law firms, Reminger and Mazenac, are included on Zurich's approved panel for most coverage lines.

7. **Statement of Values** – The total insured value used for the renewal is the same as last year. This should increase with the addition of the new Police station and a correction was made to the proposal with increased values. Generally, a carrier will increase total values between one and three percent at renewal to account for inflation. However, the values for all locations other than the Police Station were updated during the RFP process in 2020 so no inflationary increase was added for this renewal. For subsequent renewals we recommend continuing evaluation of the replacement cost of City property and possible value increases to keep up with increasing construction and material costs. McGowan should assist with updating the City's Statement of Values.

8. **Excess Hull Protection & Indemnity** – At the last renewal an option was presented to add a $1,000,000 Excess policy above the current Hull Protection & Indemnity policy for an additional premium of $1,765. Crain, Langner supported this addition, but it was declined by the City. We recommend consideration of Excess Hull Protection & Indemnity limits again this year.

D. FINAL COMMENTS

Enclosed with this letter is a summary graph depicting the current program purchased and renewal premiums compared to expiring.

Thank you again for the opportunity to assist the City, we welcome your comments and questions.

Sincerely,

Daniel C. Buser
Daniel C. Buser

Bradley J. Weber
Bradley J. Weber

Exhibit "B"

McGowan Insurance Quote Update December 13, 2021

Here is the updated pricing with the following amendments:

- Crime increased to $250,000 — Additional premium $1,850
- Cyber increased to $2,000,000 — Additional premium $8,560
- UM/UIM increased to $500,000 — Additional premium $13,094

Here is the updated pricing breakdown:

City	$ 265,264
WWTP	$ 95,790
Municipal Court	$ 7,368

NEW TOTAL $368,422

*Please note page 18 of the attached City of Rocky River Proposal outlines the original pricing on our insurance policies.

AN INSURANCE PROPOSAL
PREPARED FOR:

CITY OF ROCKY RIVER
ROCKY RIVER WWTP
ROCKY RIVER MUNICIPAL COURT
21012 HILLIARD BLVD
ROCKY RIVER, OH 44116

PRESENTED BY:

PATRICK MUSCENTI

MCGOWAN INSURANCE

20595 LORAIN RD
FAIRVIEW PARK, OH 44126

1-1-2022 TO 1-1-2023

PROPERTY POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Blanket Building & Contents Limit	$150,804,663	$2,500
Pumps & Lift Stations	Included in Building	$2,500
Earthquake Coverage	$1,000,000	$50,000
Flood Coverage	$1,000,000	$50,000
Additional Coverages		
Collapse	Included	$2,500
Debris Removal Additional Debris Removal Expense	25% of loss $300,000	$2,500
Fire Department Services Charge	$50,000	None
Pollutant Clean up and Removal	$250,000	$2,500
Accounts Receivable	$250,000	$500
Animals	$15,000 each/ $100,000 agg	$500
Ordinance or Law Coverage A-Undamaged Coverage B- Demolition Coverage C – Increased Cost Construction	A- Included B&C- $1,000,000	$2,500
Business Income & Extra Expense	$1,000,00 0	$2,500
Food Contamination	$100,000	$2,500
Newly Acquired Location	$100,000	$2,500
Utility Service Time Element	$100,000	$2,500
Sales Tax Revenue Loss	$100,000	$2,500
Fine Arts	$100,000	$500
Foundations, Underground Pipes, Flues or Drains within 1,000 ft.	$15,000	$2,500
Grounds Maintenance Equipment	$5,000 per item/$100,000	$500
Newly Acquired or Constructed Property Building Business Personal Property	$2,000,000 $1,000,000	$2,500
Non-owned Detached Trailers	$20,000	$2,500
Outdoor Property	$250,000	$2,500
Paved Surfaces	$100,000	$500
Property Effects & Property of Others	$25,000	$2,500
Portable Audio Visual & Communication Equipment	$100,000	$500
Portable Emergency Response Equipment	$100,000	$500
Portable Equipment Used in Law Enforcement Operations	$100,000	$500

PROPERTY POLICY OUTLINE - CONTINUED

COVERAGE:	LIMITS:	DEDUCTIBLE:
Property Off Premises	$100,000	$2,500
Sewer Backup (each occurrence)	$100,000	$2,500
Theft of Building Material & Supplies	$100,000	$2,500
Traffic Lights, Signs, Parking Meters, Fire Hydrants, Guard Rails, Bus Shelters	$100,000	$500
Valuable Papers	$250,000	$2,500

EQUIPMENT BREAKDOWN

COVERAGE:	LIMITS:	DEDUCTIBLE:
Property	$150,804,663	$2,500
Expediting Expense	Included in Property EE Limit	72 hours
Pollutant Clean Up & Removal	$250,000	$2,500
Utility Services – Time Element	Included in Property BI/EE	$2,500
Spoilage	$100,000	$2,500

COVERAGE ENHANCEMENTS:

- Replacement Cost
- Agreed Amount
- 360 –Additional Coverage Modifications
- Liberalization Clause broadens the coverage provided under property section or the policy without additional premium within 45 days prior to or during the policy period.
- Loss Payable Clause
- Newly Acquired – automatic up to *120 days* for date of acquisition, real or personal property and business interruption.
- Personal Property of officers and employees of the insured, other than motor vehicles.
- Policy Territory includes the United States of America (its territories and possessions), Puerto Rico and Canada.
- Premise boundary increased to 1000 feet
- 30 Days' Notice of Cancellation – non-renewal or material change.
- 10 Days' Notice of Cancellation – non-payment

PROPERTY EXCLUSIONS:

- Broad Form Nuclear Contamination
- Acts of Terrorism unless other wised purchased.
- Delay or loss or market, or any other consequential or remote loss of any kind.
- Dishonest criminal acts by you, your partners, employees, directors or anyone to whom you entrust the property for any purpose.
- Earth Movement unless purchased
- Errors in Machine Programming or Instructions to Machines.
- Land
- Loss or damage as a result of insects, vermin, birds, or other animals.
- Loss of Earnings to Finished Stock, including time required to reproduce.
- Water/Flood Damage unless purchased

EQUIPMENT BREAKDOWN EXCLUSIONS:

- Corrosion, Erosion, Wear & Tear Exclusion
- EDP Media Exclusion – defect, virus, loss of data or other situation
- Fines

INLAND MARINE POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Contractors' Equipment Scheduled	$2,701,645	$1,000
Portable Emergency Response Equipment	$1,037,941	$1,000
Special Floater		
Scheduled	$15,000	$1,000
Unscheduled	$40,000	$1,000

COVERAGE ENHANCEMENTS

- 30 Days' Notice of Cancellation Non-Renewal or Material Change
- New acquisitions – 90 day automatic coverage
- Rental Expense Reimbursement
- Valuation – The least of either
  - ACV
  - Cost to restoring to condition before loss or
  - Cost to replace with substantially identical property

EXCLUSIONS:

- Vehicles used for road use
- Real property & buildings
- Aircraft
- Wear & tear, inherent vice, freezing
- Mysterious disappearance or shortage disclosed by taking inventory
- Flood, surface water

CRIME POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Employee Theft-Per Loss	$100,000	$1,000
Faithful Performance of Duty	Include	$1,000
Forgery/Alteration	$100,00	$1,000
Theft of Money & Securities – Inside Outside	$25,000 $25,000	$1,000
Robbery & Safe Burglary Inside Outside	$25,000 $25,000	$1,000
Computer & Funds Transfer Fraud	$100,000	$1,000

COVERAGE ENHANCEMENTS:

- 30 Days' Notice of Cancellation Non-Renewal or Material Change

EXCLUSIONS:

- Criminal Acts- only excludes individual insured who committed act
- Bonded Employee unless amended
- Governmental Action
- Legal Expense
- War/Nuclear Actions

GENERAL LIABILITY POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
General Liability- Annual	$3,000,000	$0
Products-Completed Operations Aggregate	$3,000,000	
Personal & Advertising Injury Limit	$1,000,000	$0
Each Occurrence Limit	$1,000,000	$0
Damage to Premises Rented to	$1,000,000	$0
Employee Benefits Limit	Included	$1,000
Employers Liability (Ohio Stop	$1,000,000	$0
Sexual Abuse/Molestation Limit	$1,000,000	$0
Sexual Abuse/Molestation	$1,000,000	$0
Failure to Supply	Included	$0

COVERAGE ENHANCEMENTS:

- Defense in Addition to Limit
- Broad Governmental – Specific Definition of Insured
- Broadened Pollution for Municipal Exposures-
  - Application of pesticides/herbicides
  - Chemicals to treat pool
  - Road salt or chemicals used for snow/ice removal on roads
  - Mobile Equipment
- Employees/Volunteers as Insureds
- Expanded Definition of Bodily Injury to include mental anguish, mental injury, shock, fright
- Watercraft Liability – up to 51 ft.
- Host Liquor Liability
- Broadened Contractual Liability
- Limited Contractual Liability for Personal Injury
- Broadened Property Damage Liability
- EMT, Paramedic & Nurses Liability
- Good Samaritan Liability

EXCLUSIONS:

- Asbestos Exclusion
- Aircraft, auto
- Bodily injury to any insured
- Bodily injury to any person injured while taking part in athletics
- Nuclear Energy Liability Exclusion
- Pollution Exclusion – except for hostile fire
- Professional Services Exclusion
- Workers Compensation
- War
- Watercraft over 51'

POLICE PROFESSIONAL POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Police Professional Liability	$1,000,000	$10,000
Police Professional Aggregate	$3,000,000	

COVERAGE ENHANCEMENTS

- Broad coverage for law enforcement wrongful acts including off duty moonlighting
- Broad definition of insured
- Broad definition of Wrongful Act/Occurrence including Personal Injury
- Civil Rights coverage
- Expanded Definition of Bodily Injury to include mental anguish, mental injury, shock, fright
- Included punitive or exemplary damages where allowable
- Defense in Addition to Limit

EXCLUSIONS:

- Property in care, custody, control except for property on persons in custody, arrest, incarcerated.
- Breach of Contract, except mutual law enforcement agreements
- War
- Bodily injury to employee
- Employment liability claims
- Dishonest, fraudulent, criminal, malicious or intentional act excluded for loss, but not for defense costs. If guilty, required to reimburse. Exclusion does not apply to an insured who did not commit, participate in, or have knowledge of any of the described acts: Collective bargaining agreement; lockout, strike, labor disputes or labor negotiations, union grievances

PUBLIC OFFICIALS LIABILITY POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Public Official Liability Each Wrongful Act	$1,000,000	$10,000
Public Official Liability Annual Aggregate	$3,000,000	
Non- Monetary defense limit (Does not reduce policy limits)	$25,000	$10,000
Retro Active Date:	10/1/1997	

COVERAGE ENHANCEMENTS

- Defense in Addition to Limit
- Included punitive or exemplary damages where allowable
- Civil Rights
- Crisis Event coverage for Public Officials

EXCLUSIONS:

- Sexual abuse and misconduct
- Pollution
- War
- Bodily injury to employee
- Issuance of bonds/ tax assessment or valuations of properties/tax collection
- Dishonest, fraudulent, criminal, malicious or intentional act excluded for loss, but not for defense costs. If guilty, required to reimburse. Exclusion does not apply to an insured who did not commit, participate in, or have knowledge of any of the described acts.
- Civil or criminal fines or penalties
- Prior or pending litigation
- Employment liability claims
- Collective bargaining agreement; lockout, strike, labor disputes or labor negotiations, union grievances
- Claim for equitable or injunctive relief initiated by a governmental entity *NEW

EMPLOYMENT PRACTICES LIABILITY POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Employment Practice Liability Each Wrongful Act	$1,000,000	$10,000
Employment Practice Liability Annual Aggregate	$3,000,000	
Retro Active Date:	10/1/1997	

COVERAGE ENHANCEMENTS:

- Broad coverage for law enforcement wrongful acts including off duty moonlighting
- Defense in Addition to Limit
- Third Party Discrimination included
- Business Invitee (Third Party) covering emotional distress, sexual harassment, discrimination and other allegations
- Broad definition of claim including regulatory proceedings, arbitration hearings, EEOC hearings, back and front wages

EXCLUSIONS

- Collective bargaining agreement
- Lockout, strike, labor disputes or labor negotiations, union grievances
- FLSA/MLRA/WARNA/COBRA/ERISA/PBA/OSHA
- Dishonest, fraudulent, criminal, malicious or intentional act excluded for loss, but not for defense costs. If guilty, required to reimburse. Exclusion does not apply to an insured who did not commit, participate in, or have knowledge of any of the described acts Claim for equitable or injunctive relief initiated by a governmental entity

AUTO POLICY OUTLINE

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Automobile Liability	$1,000,000	None
Uninsured/Underinsured Motorists Liability	$50,000	None
Medical Payments	$5,000	None
Comprehensive	See Schedule	$1,000
Comprehensive 2019 Ariel Pumper		$10,000
Collision	See Schedule	$1,000
Collision 2019 Ariel Pumper		$10,000
Non-Owned Liability	$1,000,000	None
Hired Car Liability	$1,000,000	None
Hired Car Physical Damage	$50,000	$1,000

COVERAGE ENHANCEMENTS:

- Employees/Volunteers as Insured
- Fleet Coverage
- Fellow Employee Coverage
- Broadened definition of bodily injury
- Rental Reimbursement - $3,000
- Lease Gap
- Loss caused by freezing of permanently attached special equipment (not engine)

EXCLUSIONS:

- War /Nuclear Energy
- Pollution

$5M Excess Policy Outline

Company	Effective Date	Expiration Date
Zurich	1/1/2022	1/1/2023

COVERAGE:	LIMITS:	DEDUCTIBLE:
Excess Liability Each Occurrence	$5,000,000	None
Excess Liability Silo Aggregates	$5,000,000	
Follow form over:		
General Liability	Yes	
Public Official Liability	Yes	
Employment Practice Liability	Yes	
Automobile Liability	Yes	
Employers Liability (Ohio Stop Gap)	Yes	
Law Enforcement Liability	Yes	

COVERAGE ENHANCEMENTS:

- Silo Aggregate

$5M XS $5M EXCESS POLICY OUTLINE

Company	Effective Date	Expiration Date
American Alternative	1/1/2022	1/1/2023

Limits of Liability
Occurrence

Each Occurrence	$5,000,000
Aggregate	$5,000,000
Retained Limit	$10,000

Follow Form over:

Zurich Excess	Each Occurrence	$5,000,000
Policy	Aggregate	$5,000,000

Forms & Endorsements

- Evidence of Ins Evidence Of Insurance 01-2006
- OACU
- CXD 01 12 13 Commercial Excess Liability Declarations 12-2013
- CXD 01 12 13 Schedule Of Forms 12-2013
- CXS 01 02 Schedule Of Underlying Insurance 02-2010
- CX 00 01 Commercial Excess Liability Coverage Form 04-2013
- CX 02 40 Ohio Changes - Cancellation And Nonrenewal 09-2008
- CX 21 30 Cap On Losses From Certified Acts Of Terrorism 01-2015
- CX 21 33 Exclusion Of Certified Acts Of Terrorism 01-2015
- CX 21 36 Exclusion Of Punitive Damages Related To A Certified Act Of Terrorism 01-2015
- CXE 01 03 Total Aircraft Liability Exclusion 02-2010
- CXE 01 06 Asbestos Exclusion 02-2010
- CXE 01 20 Blood Bank Professional Liability Exclusion 02-2010
- CXE 01 21 Broadcasting Or Telecasting Activities Exclusion 02-2010
- CXE 01 26 Communicable Disease Exclusion 02-2010
- CXE 01 31 Dams, Levees, Dikes Or Reservoirs Exclusion 02-2010
- CXE 01 36 Professional Services Exclusion Amendment 12-2013
- CXE 01 37 Exclusion - Designated Work 02-2010
- CXE 01 39 Discrimination Exclusion 02-2010
- CXE 01 67 F.e.l.a. Liability Exclusion 02-2010
- CXE 01 72 Fireworks Or Pyrotechnics Exclusion 02-2010
- CXE 01 73 Fungi Or Bacteria Exclusion 02-2010
- CXE 01 75 Foreign Liability Exclusion 02-2010
- CXE 01 77 Hospital Professional Liability Exclusion And Patient Injury Limitation Endorsement 02-2010
- CXE 01 79 Landfill And Disposal Site Liability Exclusion 02-2010
- CXE 01 80 Lead Exclusion 02-2010
- CXE 01 84 Limited Sexual Abuse Coverage Sublimit With Defense Expense Within Limits 02-2010
- CXE 01 86 Liquor Liability Exclusion 12-2013
- CXE 01 89 Municipality Amendatory Endorsement 12-2013
- CXE 02 11 Police Professional Liability Follow Form Endorsement 02-2010
- CXE 02 18 Damage To Real And Personal Property - Total Exclusion 12-2012
- CXE 02 21 Public Officials' Errors And Omissions Follow Form Endorsement 02-2010
- CXE 02 22 Punitive Or Exemplary Damages Exclusion 02-2010
- CXE 02 29 Recreational Vehicles Exclusion 02-2010
- CXE 02 40 Trampoline And Rebounding Equipment Exclusion 02-2010
- CXE 02 46 Total Watercraft Exclusion 02-2010
- CXE 02 48 Watercraft Limited Coverage Endorsement 02-2010
- CXE 02 61 Additional Insured Endorsement 12-2013
- CXE 02 64 Maritime Employer's Liability (Jones Act) Exclusion 02-2010
- CXE 02 75 Additional Named Insured Endorsement 02-2010
- CXE 03 20 Exclusion - Data Privacy And Cyber Liability 10-2017

Cyber Outline

Company	Effective Date	Expiration Date
BCS Insurance Company	1/1/2022	1/1/2023

Policy Limits of Liability

- Aggregate Limit of Liability **$1,000,000**
- Sublimit of Liability for Individual Coverages **$1,000,000**

Coverage	Per Claim Sublimit	Aggregate Sublimit
A. Privacy Liability (including Employee Privacy)	$1,000,000	$1,000,000
B. Privacy Regulatory Claims Coverage	$1,000,000	$1,000,000
C. Security Breach Response Coverage	$1,000,000	None
D. Security Liability	$1,000,000	$1,000,000
E. Multimedia Liability	$1,000,000	$1,000,000
F. Cyber Extortion	$1,000,000	None
G. Business Income & Digital Asset Restoration		
1. Business Income Loss	$1,000,000	None
2. Restoration Cost	$1,000,000	None
3. Reputation Business Income Loss	$1,000,000	None
4. System Integrity Restoration Loss*	$250,000	None
H. PCK DSS Assessment	$1,000,000	$1,000,000
I. Electronic Fraud		
1. Phishing Loss	$50,000	None
2. Services Fraud Loss	$100,000	None
3. Reward Fund Loss	$50,000	None
4. Personal Financial Loss	$250,000	None
5, Corporate Identity Theft Loss	$250,000	None
6. Telephone Hacking Loss	$100,000	None
7. Direct Financial Loss (Funds Transfer Fraud)	$100,000	None
8. Cyber Deception**	$100,000	$100,000

*e.g. bricking
**e.g. social engineering

Supplement Limits

Coverage	Sublimit
A. Court Attendance Costs	$100,000
B. Bodily Injury/Property Damage Liability	$250,000
C. TCPA	$100,000
D. HIPAA Corrective Action Plan Costs	$50,000
E. Post Breach Response	$25,000
F. Independent Consultant	$25,000
G. Outsourced Provider	$250,000
H. Computer System	$250,000

Cyber Outline - Continued

Retention (Including Claims Expenses)

$10,000 Each Claim or Event except Cyber Deception - $5,000
$10,000 Aggregate

Territorial Limits	Worldwide
Retroactive Date	Full Prior Acts
Waiting Period	12 hrs. waiting period

Policy Endorsements:

- 94.200 (07/19) Cyber and Privacy Liability Policy Form
- Cyber Deception Endorsement
- 94.102 (01/15) Nuclear Incident Exclusion
- 94.103 (01/15) Radioactive Contamination Exclusion
- 94.801 OH (07/19) Ohio Amendatory Endorsement

Boat Outline – CITY ONLY

Company	Effective Date	Expiration Date
Travelers	1/1/2022	1/1/2023

		Vessel #1
Vessel Description		27' "ARGUS V" Safe Boat International w/ Mercury Twin Out
Vessel Name		
Homeport		Rocky River, OH
Warranted confined to the waters of/between		Rocky River and Lake Erie
Miles Offshore that can not be exceeded		
Warranted laid up and out of commission	Between and	Rocky River Lake Erie
PART A: HULL COVERAGE		
Hull Coverage	Agreed/Insured Value	$249,500
	Hull Deductible	$1,000
	"Named Storm" Deductible	$1,000
PART B: LIABILITY COVERAGE		
Liability Coverage	Liability Limit	$1,000,000
	BI/PD Deductible	$1,000
	Number of Crew	0
PART C: MEDICAL PAYMENTS		
Medical Payments	Limit per person	$5,000
	Limit per accident	$10,000
PART D: TRAILER COVERAGE		
	Agreed/Insured Value	$10,500
	Trailer Deductible	$1,000

Forms & Endorsements

- OM GE 00 01 01 12 DECLARATIONS
- IL T8 01 10 93 FORMS, ENDORSEMENTS AND SCHEDULE NUMBERS
- OM GE 01 00 01 12 AIMU CHEMICAL, BIOLOGICAL, BIO-CHEMICAL, AND ELECTROMAGNETIC EXCLUSION CLAUSE
- OM GE 01 01 03 03 AIMU - EXTENDED RADIOACTIVE CONTAMINATION EXCLUSION CLAUSE (3/1/03)
- OM GE 01 03 07 05 CANCELLATION CLAUSE
- OM GE 01 06 07 05 PUNITIVE DAMAGES EXCLUSION
- D0 14 4 01 15 CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM ENDORSEMENT
- OM GE 00 04 01 15 TERRORISM RISK INSURANCE ACT OF 2002 DISCLOSURE
- OM GE 01 08 10 06 AIMU U.S.ECONOMIC AND TRADE SANCTIONS CLAUSE
- OM OH 00 09 01 09 MISCELLANEOUS WORK BOAT COVERAGE SUMMARY
- OM OH 00 08 01 12 MISCELLANEOUS WORK BOAT FORM
- OM GE 0120 AMERICAN INSTITUTE CYBER EXLUSION CLAUSE (11/6/2015)
- OM GE 0119 VIRUS OR BACTERIA EXCLUSION, COMMUNICABLE DISEASE OCCURRENCE OR ACCIDENT, AND PANDEMIC OR EPIDEMIC COMMUNICABLE DISEASE EXCLUSION WITH LIMITED COVERAGE FOR CREW, IF APPLICABLE

Active Shooter Outline – CITY ONLY

Company	Effective Date	Expiration Date
Lloyds (non-admitted)	1/1/2021	1/1/2022

All Insuring Clauses Combined $1,000,000 in the aggregate
Insuring Clause 1; Response Consultant Costs
Limit of Liability $1,000,000 each and every claim
Deductible $0 each and every claim

Insuring Clause 2: Victim Compensation Fund and Extra Expenses
Aggregate Limit of Liability $1,000,000 in the aggregate

Sub-limited to the following in respect of Insuring Clause 2 (Section A Only)
Limit of Liability $100,000 per employee or third party
Percentage (%) of the limit of liability that becomes payable per employee or third party in respect of bodily injury:

a. Death or permanent total disablement: 100%
b. Loss of limb, sight, hearing, smell or taste: 100%
c. Any bodily injury requiring hospitalization for at least 3 nights,
d. other than a. or b. above: 10%

Deductible: each and every claim $0

Insuring Clause 3: Legal Liability
Aggregate Limit of Liability $1,000,000 each and every claim, including costs and expenses
Deductible $1,000 each and every claim, including costs and expenses

Insuring Clause 4: Commercial Property
Aggregate Amount Insured $1,000,000 in the aggregate
Deductible $1,000 each and every claim

Insuring Clause 5: Business Interruption
Aggregate Amount Insured $1,000,000 in the aggregate
Deductible 6 Hours each and every claim

ANNUAL PREMIUM SUMMARY

Coverage Effective Date: January 1, 2022

COVERAGE	EXPIRING	RENEWAL
Package with Zurich for City, WWTP & Court	$225,942	$276,600
$5M Excess with Zurich for City, WWTP & Court	$14,887	Included above
$5M xs $5M with Zurich for City, WWTP & Court	$25,000	$25,000
Cyber Liability with BCS for City, WWTP & Court	$9,788	$14,818
Boat with Travelers for CITY Only	$5,092	$5,500
Active Shooter with Lloyds for CITY Only	$23,000	$23,000
Grand Total	**$303,709**	**$344,918**

2021-22 Options:

- **Terrorism coverage for package: $2,445**
- **Terrorism coverage for $5M xs $5M: $2,500**

In order to bind we will need the following:

1. **Written Request to Bind**
2. **Signed TRIA Form for Package**
3. **Signed Application for Package**
4. **Signed Statement of Values for Package**
5. **Signed rejection of UM/UIM Form for Package if applicable**
6. **Signed AAIC Application for $5M xs $5M**
7. **Signed TRIA form for $5M xs $5M**
8. **Signed Active Shooter Application**
9. **Confirmation of no losses/threats/incidents/violent events/criminal events at scheduled locations prior to binding.**

These must be done no later than 5 days after the effective date for the $5M XS $5M

10. **Completed/Signed Our American Cities Renewal Quote/Application (NO blanks)**
    Please Note: **"TBD", "N/A", "See Attached"; "Same"; "Per Loss Runs"; "See Budget"; slashes, dashes or any questions left blank are not acceptable to bind coverage.**
11. **Completed/Signed AmRe Terrorism Notice**

(Cont'd on p.18)

12. **Is the underlying silent on abuse or molestation? Or an affirmative grant? If an affirmative grant, please provide the sub limit.** MCGOWAN WILL ANSWER.
13. **Is the underlying POL policy Claims Made? Or Per Occurrence?** MCGOWAN WILL ANSWER.
14. **Copy of lead $5,000,000 Zurich umbrella policy for the 2022-2023 policy period.** MCGOWAN WILL PROVIDE.

Price Breakdown Per Entity

	2021	2022
City	$218,360	$247,966
WWTP	$79,334	$90,093
Municipal Court	$6,015	$6,859
TOTAL	$303,709	$344,918