

ORDINANCE NO. 80-22

**AN ORDINANCE ACCEPTING THE CYBER LIABILITY INSURANCE
PROPOSAL SUBMITTED BY ARTHUR J. GALLAGHER & CO.
AND DECLARING AN EMERGENCY**

WHEREAS, the City cyber liability insurance policy will expire June 30, 2022; and

WHEREAS, Arthur J. Gallagher & Co., the City's insurance broker, presented various options/proposals for renewal to the Finance Director and the Assistant Finance Director on June 10, 2022; and

WHEREAS, during the 2021-2022 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 BCS Insurance Company; the policy has a limit of \$1,000,000, an annual premium of \$12,211 and a deductible of \$10,000; 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 with a limit of \$2,000,000, a deductible of \$50,000 and an annual premium of \$25,928 and;

WHEREAS, Council finds that entering into said contract with Houston Casualty on or before July 1, 2022 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 purchased through the Arthur J. Gallagher & Co in the amount of Twenty-Five Thousand Nine Hundred and Twenty-Eight Dollars and No Cents (\$25,928.00), 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.

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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, 2022; therefore, this Ordinance shall be in full force and effect immediately upon its passage by this Council and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

BY: _____
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

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

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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