

# CITY OF OBERLIN, OHIO

## ORDINANCE No. 14-03 AC CMS

AN ORDINANCE ACCEPTING THE RENEWAL PROPOSAL OF THE PUBLIC ENTITIES POOL OF OHIO THROUGH WELLS FARGO INSURANCE SERVICES USA, INC., FOR VARIOUS LIABILITY AND EXCESS LIABILITY INSURANCE COVERAGE AND PROPERTY AND BOILER & MACHINERY COVERAGE FOR THE CITY OF OBERLIN AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin has been a member of the Public Entities Pool of Ohio since 1988 and the membership agreement automatically renews each year unless the City elects to withdraw from the Pool; and

WHEREAS, it is now time for certain insurance coverage provided by said Pool to be renewed and, after review, the City has determined that it would be in the City's best interest to remain in the Pool.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the renewal proposal of the Public Entities Pool of Ohio and its agent, Wells Fargo Insurance Services USA, Inc., for providing certain insurance coverage for the City of Oberlin, be and the same is hereby accepted, and the City Manager is hereby authorized and directed to enter into a contract in accordance with the following:

<u>Coverage &amp; Amount</u>	<u>Premium</u>
General Liability, Wrongful Acts, Law Enforcement, Automobile & Physical Damage \$6,000,000 Liability Limit (specifics in insurance certificate)	\$ 142,256.00
Property and Boiler & Machinery \$59,256,201 Blanket Coverage	\$ 149,687.00

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption 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 action, 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 immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to authorize the placement of certain insurance coverage for the City of Oberlin prior to its expiration date of February 15, 2014,” and shall take effect immediately upon passage.


PASSED: 1st Reading: January 21, 2014 (E) (F)

2nd Reading:

3rd Reading:

ATTEST:

  
\_\_\_\_\_  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
\_\_\_\_\_  
H. SCOTT BROADWELL  
PRESIDENT OF COUNCIL

POSTED: 1/22/2014

EFFECTIVE DATE: 1/21/2014

**Public Entities Pool**  
(A Local Government Risk Pool)

07-09-14 A09:13 RCVD

**GOVERNMENTAL PROPERTY AGREEMENT**

**COVERAGE DECLARATIONS**

This Agreement is issued under and pursuant to the terms, conditions, covenants, Property Addendum dated and stipulations of the Intergovernmental Contract dated between the Member stated herein and Public Entities Pool, (hereinafter, the Pool). All terms and conditions of said contract are incorporated herein by reference. In the event that any provision of this Agreement is in conflict with or is inconsistent with the Intergovernmental Contract or any appendix or attachment thereto, the terms and conditions of such Intergovernmental Contract, appendix or attachment shall prevail and take precedence.

**GIVE WRITTEN NOTICE OF ANY LOSS HEREUNDER TO**

**PUBLIC ENTITY RISK SERVICES OF OHIO (PERSO)**  
6500 Taylor Road  
Blacklick, Ohio 43004

**NAMED MEMBER:** City of Oberlin, Lorain County  
**MEMBER NUMBER:** 30  
**MAILING ADDRESS:** 69 S. Main St.  
Oberlin, OH 44074

**AGREEMENT PERIOD:** Commencing at 12:01 A.M., on the effective date indicated below until canceled or replaced.

**EFFECTIVE DATE:** 02/15/2014

**GOVERNMENTAL PROPERTY AGREEMENT – SCHEDULE OF BENEFITS  
PEP**

City of Oberlin, Lorain County

Effective Date: 02/15/2014

SUBJECT TO THE TERMS AND CONDITIONS OF THE  
GOVERNMENTAL PROPERTY AGREEMENT

<b>SECTION</b>	<b>COVERAGE LIMIT</b>	<b>DEDUCTIBLE</b>
<b>Section 2 - Real &amp; Personal Property</b>		
Buildings*	\$41,534,701	\$500
Personal Property*	\$17,721,500	\$500
*See Statement of Values for per location deductibles		
Fine Arts		\$500
Accounts Receivable	\$250,000	
Arson Reward	\$5,000	
Building Materials and Supplies	\$10,000	
Data Processing Equipment	\$100,000	
Debris Removal	\$250,000	
Earnings	\$100,000	
Errors and Omissions	\$500,000	
Expediting Expenses	\$250,000	
Extra Expense	\$500,000	
Flood Emergency Materials	\$25,000	
Money & Securities	\$25,000	
Money & Securities - Seasonal	\$0	
Newly Acquired Buildings	\$2,000,000	
Newly Constructed Buildings	\$2,000,000	
Off Premises Power Failure	\$25,000	
Ordinance or Law	\$2,000,000	
Outdoor Property Agg	\$100,000	
Paved Athletic Surfaces	\$50,000	
Per Tee or Green	\$0	
Per Trees/Shrubs/Plants	\$1,000	
Pollutant Cleanup	\$100,000	
Preservation of Property	\$250,000	
Rental Income	\$100,000	
Sewer Backup	\$25,000	
Storm Debris Removal Aggregate	\$0	
Storm Debris Removal Occurrence	\$0	
Tees and Greens Agg	\$0	
Temporary Storage Location	\$250,000	
Transit	\$100,000	
Valuable Papers and Records	\$300,000	
Water Damage	\$25,000	

**GOVERNMENTAL PROPERTY AGREEMENT – SCHEDULE OF BENEFITS  
PEP**

City of Oberlin, Lorain County

Effective Date: 02/15/2014

<b>SECTION</b>	<b>COVERAGE LIMIT</b>	<b>DEDUCTIBLE</b>
<b>Section 3 – Vehicles</b>		
Commandeered Property	\$250,000	See Statement of Values
Freezing of Equipment	\$25,000	See Statement of Values
Property in an Unattended Vehicle	\$500	See Statement of Values
Rental Reimbursement	\$500	See Statement of Values
Rental Reimbursement Aggregate	\$25,000	See Statement of Values
Rental Vehicle Agreement	\$2,500	See Statement of Values
<b>Section 4 - Miscellaneous Property</b>		
MP Daily Rental Reimbursement	\$500	See Statement of Values
MP Expediting Expenses	\$250,000	See Statement of Values
MP Rental Reimbursement Agg	\$25,000	See Statement of Values
<b>Section 5 – Electronic Data Processing</b>		
EDP Computer Virus	\$25,000	See Statement of Values
EDP Newly Acquired Locations	\$100,000	See Statement of Values
EDP Software in Storage	\$50,000	See Statement of Values
<b>Section 6 - Employee Dishonesty</b>		
Dishonesty	\$25,000	\$500
<b>Section 7 - Boiler</b>		
Total Limit per one Breakdown	\$59,256,201	See GPA 0644
Power Generating Equipment	Included	
BM Ammonia Contamination	\$100,000	
BM Data or Media	\$25,000	
BM Diagnostic Equipment	\$5,000	
BM Earnings	\$100,000	
BM Electrical Surge or Electrical Disturbance	\$100,000	
BM Error in Description	\$500,000	
BM Expediting Expense	\$250,000	
BM Extra Expense	\$100,000	
BM Hazardous Substance	\$100,000	
BM Newly Acquired Locations up to 120 Days	\$2,000,000	
BM Ordinance or Law	\$250,000	
BM Service Interruption	\$100,000	
BM Spoilage	\$25,000	
BM Water	\$100,000	
<b>Section 8 - Earthquake</b>		
Earthquake	\$20,000,000	\$50,000
Earthquake Accounts Receivable	\$100,000	\$50,000
Earthquake Debris Removal	\$250,000	\$50,000
Earthquake Earnings	\$100,000	\$50,000
Earthquake Errors and Omissions	\$500,000	\$50,000

# GOVERNMENTAL PROPERTY AGREEMENT – SCHEDULE OF BENEFITS

## PEP

City of Oberlin, Lorain County

Effective Date: 02/15/2014

<b>SECTION</b>	<b>COVERAGE LIMIT</b>	<b>DEDUCTIBLE</b>
Earthquake Expediting Expenses	\$25,000	\$50,000
Earthquake Extra Expense	\$100,000	\$50,000
Earthquake Newly Acquired Buildings	\$2,000,000	\$50,000
Earthquake Newly Constructed Buildings	\$2,000,000	\$50,000
Earthquake Ordinance or Law	\$250,000	\$50,000
Earthquake Preservation of Property	\$250,000	\$50,000
Earthquake Rental Income	\$100,000	\$50,000
Earthquake Temporary Storage Location	\$250,000	\$50,000
Earthquake Valuable Papers and Records	\$100,000	\$50,000
<b>Section 9 - Flood</b>		
Flood	\$1,000,000	\$50,000
Flood Accounts Receivable	\$100,000	\$50,000
Flood Debris Removal	\$250,000	\$50,000
Flood Earnings	\$100,000	\$50,000
Flood Errors and Omissions	\$500,000	\$50,000
Flood Expediting Expenses	\$25,000	\$50,000
Flood Extra Expense	\$100,000	\$50,000
Flood Newly Acquired Buildings	\$2,000,000	\$50,000
Flood Newly Constructed Buildings	\$2,000,000	\$50,000
Flood Ordinance or Law	\$250,000	\$50,000
Flood Preservation of Property	\$250,000	\$50,000
Flood Rental Income	\$100,000	\$50,000
Flood Temporary Storage Location	\$250,000	\$50,000
Flood Valuable Papers and Records	\$100,000	\$50,000

**Public Entities Pool**  
(A Local Government Risk Pool)

**LEGAL DEFENSE AND CLAIM PAYMENT AGREEMENT**

**DECLARATIONS**

This Agreement is issued under and pursuant to the terms, conditions, covenants and stipulations of the Intergovernmental Contract dated between the Member stated herein and Public Entities Pool (hereinafter, the Pool). All terms and conditions of said contract are incorporated herein by reference. In the event that any provision of this Agreement is in conflict with or is inconsistent with the Intergovernmental Contract, the terms and conditions of such Intergovernmental Contract shall prevail and take precedence to the extent of such conflict or inconsistency

**GIVE WRITTEN NOTICE OF ANY SITUATION  
LIKELY TO RESULT IN A CLAIM HEREUNDER TO**

**PUBLIC ENTITY RISK SERVICES OF OHIO (PERSO)**  
6500 Taylor Road  
Blacklick, Ohio 43004

**NAMED MEMBER:** City of Oberlin, Lorain County  
**MEMBER NUMBER:** 30  
**MAILING ADDRESS:** 69 S. Main St.  
Oberlin, OH 44074

**EFFECTIVE DATE:** Commencing at 12:01 A.M. on the effective date indicated on the Schedule of Benefits until terminated in accordance with the Intergovernmental Contract.

**PEP**  
**LEGAL DEFENSE AND CLAIM PAYMENT AGREEMENT – SCHEDULE OF BENEFITS**  
**CITY OF OBERLIN, LORAIN COUNTY**

<b>Benefit</b>	<b>EFFECTIVE DATE</b>	<b>RETROACTIVE DATE</b>	<b>LIMIT</b>	<b>DEDUCTIBLE</b>
Third Party Legal Liability	02/15/2014	02/15/1988	\$6,000,000	\$0 ✓
Automobile Liability	02/15/2014	02/15/1988	\$6,000,000	\$0 ✓
Wrongful Acts	02/15/2014	02/15/1994	\$6,000,000	\$5,000 ✓
Law Enforcement Liability	02/15/2014	02/15/1994	\$6,000,000	\$5,000 ✓
Liquor Liability	02/15/2014			Not Covered
Appeal Bonds	Not Applicable	Not Applicable	Unlimited	
Bail Bonds	Not Applicable	Not Applicable	Unlimited	
Bonds to Release Property	Not Applicable	Not Applicable	Unlimited	
Claim and Defense Expenses	Not Applicable	Not Applicable	Unlimited	Per Coverage
Post-Judgment Interest	Not Applicable	Not Applicable	Unlimited	
Public Health Department	02/15/2014			\$0
Pre-Judgment Interest	Not Applicable	Not Applicable	Unlimited	
Covered Pollution Cost or Expense for Automobiles	02/15/2014	02/15/1988	\$6,000,000	\$0
Employee Benefit Liability	02/15/2014	02/15/2010	\$1,000,000	\$1,000
Employment Expense	02/15/2014	02/15/1999	\$6,000,000	\$0
Good Samaritan	02/15/2014	02/15/1988	\$6,000,000	\$0
Injunctive Relief	02/15/2014	02/15/2010	\$50,000	\$0
Medical Expenses - Automobile	02/15/2014	02/15/2014	\$5,000	\$0
Medical Expenses - Other than Automobile	02/15/2014	02/15/1988	\$5,000	\$0
Medical Malpractice	02/15/2014		Limits	\$0
Member Expenses	02/15/2014		\$10,000	\$0
Stop Gap	02/15/2014	02/15/1988	\$6,000,000	\$0
Uninsured/Underinsured Motorists	02/15/2014	02/15/1988	\$100,000/\$100,000	\$0
Broad Legal Defense Fund	02/15/2014	02/15/1999	\$5,000/\$5,000	\$0
Moral Obligation to Pay	02/15/2014	02/15/1999	\$2,500	\$0
Cyber Breach Expense	02/15/2014	02/15/2014	\$250,000	\$0
<b>Pollution Liability Benefits</b>				
Herbicide/Pesticide	02/15/2014			Not Covered
Underground Gasoline, Diesel and Fuel Oil Storage Tanks Each Occurrence	02/15/2014	02/15/1988	\$55,000	\$0
Underground Gasoline, Diesel and Fuel Oil Storage Tanks Aggregate	02/15/2014	02/15/1988	\$55,000	\$0
Chlorine	02/15/2014	02/15/1999	\$6,000,000	\$0
Fire Dept. Training Activities	02/15/2014	02/15/2013	\$6,000,000	\$0
Fire Depts.	02/15/2014	02/15/1988	\$500,000	\$0
Anti-skid Material Storage and Application	02/15/2014	02/15/1999	\$6,000,000	\$0
Sewer Back-up	02/15/2014	02/15/2013	\$1,000,000/\$1,000,000	\$1,000