

ORDINANCE NO. 07-32 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE NEIGHBORHOOD HOUSE ASSOCIATION OF LORAIN COUNTY, INC., AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin has previously supported senior citizens activities within the City of Oberlin; and

WHEREAS, Neighborhood House Association of Lorain County, Inc., is a non-profit corporation which has agreed to provide to the residents of the City those senior citizen activities and services previously supported by the City; and

WHEREAS, the City Council desires to authorize the City Manager to enter into a contract with Neighborhood House Association of Lorain County, Inc., under the terms of which Neighborhood House Association of Lorain County, Inc., will operate a senior citizens program and furnish those services to the citizens of the City, and in return for which the City shall provide financial assistance to Neighborhood House Association of Lorain County, Inc.

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

SECTION 1. That the City Manager be, and hereby is, authorized to enter into a contract with Neighborhood House Association of Lorain County, Inc., whereby the City will provide financial assistance to Neighborhood House Association of Lorain County, Inc., in an amount not to exceed \$40,000, as appropriated in Ordinance No. 06-98 AC CMS, said monies only to be used for operating purposes and to provide to the residents of Oberlin those services as set forth in the agreement, a copy of which is attached hereto as "Exhibit A" and incorporated herein by reference.

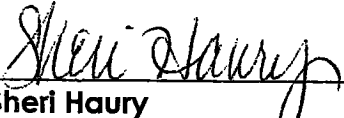
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were 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 preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operations of a municipal department, to wit:

"to timely provide funds for contracted services", and shall take effect immediately upon passage.

PASSED: 1st Reading – March 19, 2007 (E)
2nd Reading –
3rd Reading –

ATTEST:



Sheri Haury
INTERIM CLERK OF COUNCIL



Daniel Gardner
PRESIDENT OF COUNCIL

POSTED: March 20, 2007

EFFECTIVE DATE: March 20, 2007

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AGREEMENT

This Agreement made and concluded at Oberlin, Ohio, this _____ day of _____, 2007 by and between the City of Oberlin, Ohio, a Municipal Corporation, (hereinafter referred to as "City"), and Neighborhood House Association of Lorain County, Inc., an Ohio Non-Profit Corporation, (hereinafter referred to as "N.H.A.").

WITNESSETH:

WHEREAS, the CITY has deemed it in the best interest of the residents of the City of Oberlin to provide monies to aid senior citizens activities within the CITY; and,

WHEREAS, N.H.A. is a non-profit corporation operating within the CITY through Oberlin Seniors of Neighborhood House Association and providing said services to the residents of the City of Oberlin; and,

WHEREAS, N.H.A. is in need of operating funds to provide said services to the residents of the City of Oberlin and said services are in the best interest of the residents of the City of Oberlin and constitute a public purpose.

WHEREAS, the City Council has, through Ordinance No. 07-31 AC CMS, deemed it necessary to appropriate the sum of FORTY THOUSAND DOLLARS (\$40,000.00), for senior activities for the residents of the CITY.

WHEREAS, the Council of the CITY has by Ordinance No. 07-31 AC CMS, deemed it necessary to authorize the Interim City Manager to enter into an agreement with N.H.A. whereby N.H.A. will operate a program for the senior

residents of Oberlin.

NOW, THEREFORE, in consideration of the premises and other valuable consideration, it is agreed by and between the parties hereto as follows:

SECTION 1. That for the Fiscal Year 2007, N.H.A. through Oberlin Seniors of Neighborhood House Association will operate a senior citizens program for the residents of the City of Oberlin.

SECTION 2. That the CITY, in consideration for said services, will provide financial assistance for the operation of said senior citizens program through N.H.A., for the Fiscal Year 2007, in an amount of FORTY THOUSAND DOLLARS, to be paid in two annual installments.

SECTION 3. Upon request, N.H.A. will provide the CITY with periodic reports, and will allow the CITY to review its financial records, in order to assure the CITY that the services contemplated are, in fact, being satisfactorily and efficiently provided.

SECTION 4. That the CITY shall have the right to appoint a non-voting member to the Advisory Board of Oberlin Seniors of Neighborhood House Association. Said non-voting member shall be appointed by Oberlin City Council and shall serve a term of two (2) years.

SECTION 5. That nothing contained herein shall constitute an employee- agent relationship between the CITY and N.H.A. or Oberlin Seniors of Neighborhood House Association, and further, N.H.A. shall hold the CITY harmless and indemnify the CITY from any and all claims, causes of action, or damages that may be asserted against the CITY arising out of or related in any way to any activities of N.H.A. or Oberlin

Seniors of Neighborhood House Association and/or the funds contributed by the CITY in support of N.H.A.. N.H.A. shall carry public liability insurance in an amount and form as approved by the CITY.

IN WITNESS WHEREOF, the parties have hereunto set their hands to duplicates hereof the day and year first above mentioned.

IN THE PRESENCE OF:

THE CITY OF OBERLIN

Witness

Interim City Manager

**NEIGHBORHOOD HOUSE
ASSOCIATION
OF LORAIN COUNTY, INC.**

Witness

Director

**Approved as to form: _____
Law Director**