

**CITY OF OBERLIN, OHIO**

**ORDINANCE No. 19-04 AC CMS**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF OBERLIN AND THE OBERLIN COMMUNITY SERVICES COUNCIL AND DECLARING AN EMERGENCY.

WHEREAS, by Motion of Council passed on March 5, 2018, the Oberlin City Manager was authorized and directed to enter into an agreement, (“Agreement”), to provide assistance in the amount of Forty Nine Thousand Eight Hundred Dollars (\$49,800.00) for services to be provided to the residents of the City of Oberlin by the Oberlin Community Services Council, (“OCSC”) during the 2018 fiscal year; and

WHEREAS, the recent partial shutdown of the United States Federal government has resulted in an increase in the cost of the administration of the services provided by OCSC to the residents of the City of Oberlin; and,

WHEREAS, the Council for the City of Oberlin desires to amend the Agreement to extend the time for the provision of services and to provide additional assistance to OCSC in the amount of Four Thousand Dollars (\$4,000.00) for the purposes set forth in the Agreement.

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 City Manager be, and hereby is, authorized and directed to execute an amendment to the agreement dated March 28, 2018 made by and between the City of Oberlin and the Oberlin Community Services Council to extend the time for the provision of services to March 31, 2019 and to provide an additional Four Thousand Dollars (\$4,000.00) to be used for operating purposes relating to the provision to the residents of Oberlin emergency assistance services and such other services as are set forth in the agreement.

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 timely provide funds for important contracted service of great benefit to the citizens of Oberlin, and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading: February 4, 2019 (E)

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:

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

  
\_\_\_\_\_  
BRYAN BURGESS  
PRESIDENT OF COUNCIL

POSTED: 02/05/2019

EFFECTIVE DATE: 02/04/2019

## AMENDMENT TO AGREEMENT

This Amendment to Agreement is made and concluded at Oberlin, Ohio, this 4<sup>th</sup> day of February, 2019, by and between the City of Oberlin, an Ohio municipal corporation (hereinafter referred to as CITY), and the Oberlin Community Services Council (hereinafter referred to "OCSC"), (collectively referred to herein as the "Parties").

WHEREAS, on or about March 28, 2018, the Parties entered into an agreement, (Agreement") under which the City agreed to provide financial assistance in the amount of Forty Nine Thousand Eight Hundred Dollars (\$49,800.00) to the OCSC for the provision of emergency assistance, a general information and referral program and a youth tutoring program for the residents of the City of Oberlin, ("Programs"); and,

WHEREAS the assistance authorized under said Agreement has been provided in accordance with the terms of the Agreement; and,

WHEREAS, unforeseen circumstances have arisen such that the costs associated with the administration of the Programs by the OCSC have increased; and,

WHEREAS, by Ordinance No. 19-04 AC CMS, the Oberlin City Council authorized an extension of the time for the provision of services under the Agreement and authorized an additional Four Thousand Dollars (\$4,000.00) in assistance to the OCSC for the purposes set forth in the Agreement; and,

WHEREAS, it is necessary that the Agreement be amended to provide for such additional assistance.

NOW, THEREFORE, in consideration of the premises set forth in said Agreement together with other good and valuable consideration, it is agreed by and between the Parties that Sections 1, 2 and 4 of the Agreement are hereby amended to read as follows:

SECTION 1: That for the Fiscal Year 2018 and through March 31, 2019, the OCSC will operate an emergency assistance, general information and referral program, and a youth tutoring program in the City of Oberlin, Ohio, and provide those services to the residents of the CITY.

SECTION 2: The CITY shall provide the OCSC with the sum Fifty Three Thousand, Eight Hundred Dollars (\$53,800.00) towards the cost of operating said Programs within the CITY of which Forty Nine Thousand Eight Hundred Dollars (\$49,800.00) shall be made in two annual installments and the remainder to be made upon the execution of this Amendment to the Agreement.

SECTION 4: The OCSC shall at all times during fiscal year 2018 and through March 31, 2019, carry maintain public liability insurance in amount and form as approved by the CITY, and agrees to hold harmless, defend and indemnify the CITY from any and all losses, claims, damages, cases of action and judgments arising out of or resulting from the operation of said programs.

It is further agreed that all other provisions of said Agreement shall remain in full force and effect.

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

The City of Oberlin


By:   
Rob Hillard

Its: \_\_\_\_\_ City Manager

The Oberlin Community Services  
Counsel

By: Margie Z. Flood  
Margie Flood

Its: Executive Director

Approved as to form:   
Jon D. Clark, Law Director