

ORDINANCE NO. 91-16 AC CMS

AN ORDINANCE PROVIDING FOR SENIOR CITIZENS AND HANDICAPPED
BUS SERVICES FOR THE CITY OF OBERLIN, OHIO

WHEREAS, the laws of the State of Ohio authorize the City of Oberlin to provide transportation services for its citizens, including the elderly and handicapped, and,

WHEREAS, the City of Oberlin does not presently have the means to supply such services, and,

WHEREAS, the Oberlin Community Services Council, a non-profit organization has such means and is willing to provide such services for and on behalf of the City, and,

WHEREAS, there is currently no other non-profit organization that can provide such services for the City of Oberlin,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the Oberlin Community Services Council is hereby authorized to provide transportation services for the elderly and handicapped citizens of Oberlin.

SECTION 2. That the City Manager is hereby authorized and directed to enter into a contract with the Oberlin Community Services Council for the provision of such services for the 1991 calendar year, said contract to include the following terms:

- 1.) The City will supply gasoline, oil and mechanical maintenance to the Oberlin Community Services Council bus or buses on an "as needed" basis, and the Oberlin Community Services Council will reimburse the City for 100% of the cost of same upon a monthly basis.
- 2.) The City will provide the Oberlin Community Services Council with the sum of \$7,500.00 towards the local share for a Federal/State grant from the Ohio Department of Transportation to furnish transportation services to the elderly and handicapped.
- 3.) Upon request, the Oberlin Community Services Council 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.

- 4.) The Oberlin Community Services Council will not charge fees for said transportation services other than those necessary to defray the expense of providing same.
- 5.) The Oberlin Community Services Council shall carry public liability insurance in amount and form as approved by the City, and agrees to hold harmless and indemnify the City from any and all losses, claims, damages, and judgements arising out of or resulting from the operation of said transportation services.

SECTION 3. 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 4. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - March 4, 1991
2nd Reading - March 18, 1991 (E)
3rd Reading -

ATTEST:


CLARK OF COUNCIL


CHAIRMAN OF COUNCIL

POSTED: March 20, 1991

EFFECTIVE DATE: March 18, 1991

A G R E E M E N T

This Agreement made and concluded at Oberlin, Ohio, this 20th day of March, 1991, by and between the City of Oberlin, a municipal corporation (hereinafter referred to as CITY), and the Oberlin Community Services Council (hereinafter referred to as OCSC),

W I T N E S S E T H:

WHEREAS, the CITY has the authority to provide transportation services for the senior citizens and handicapped within the City of Oberlin, Ohio; and,

WHEREAS, the Council of the CITY has by Ordinance No. 91-16 AC CMS, effective March 18, 1991, 1991, deemed it necessary to authorize the City Manager to enter into an agreement with OCSC whereby said OCSC will provide such transportation services to the CITY; and,

WHEREAS, the CITY in return for the transportation services to be rendered by said OCSC will provide financial and support assistance to the OCSC.

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 year 1991, the OCSC will operate an

elderly and handicapped citizens transportation service in the City of Oberlin, Ohio, and provide those services to the citizens of the CITY.

SECTION 2. The CITY will supply gasoline, oil, and mechanical maintenance to the OCSC bus or buses on an "as needed" basis, and the OCSC will reimburse the CITY for 100% of the cost of same upon a monthly basis.

SECTION 3. The CITY will provide the OCSC with the sum of \$7,500.00 towards the local share for a Federal/State grant from the Ohio Department of Transportation to furnish transportation services to the elderly and handicapped.

SECTION 4. Upon request, the OCSC 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 5. The OCSC will not charge fees for said transportation services other than those necessary to defray the expense of providing same.

SECTION 6. The OCSC shall carry public liability insurance in amount and form as approved by the CITY, and agrees to hold harmless and indemnify the CITY from any and all losses, claims, damages, and judgements arising out of or resulting from the operation of said transportation services.

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

IN THE PRESENCE OF:

[Signature]
Witness

[Signature]
Witness

THE CITY OF OBERLIN

[Signature]
City Manager

[Signature]
City Clerk

THE OBERLIN COMMUNITY
SERVICES COUNCIL

[Signature]
Director

[Signature]
Witness

[Signature]
Witness

Approved as to form: [Signature]
City Solicitor