

ORDINANCE NO. 03-37 AC CMS

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

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 majority of all members elected thereto concurring:

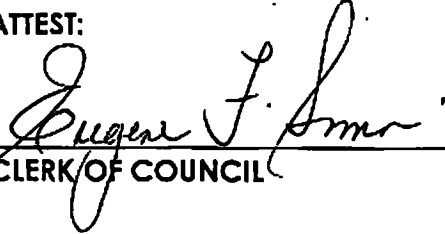
SECTION 1. That the City Manager be, and hereby is, authorized to enter into a contract with Neighborhood House Association of Lorain County, Inc., whereby the City will provide financial assistance to Neighborhood House Association of Lorain County, Inc., in an amount not to exceed \$38,500, as appropriated in Ordinance No. 03-25 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.

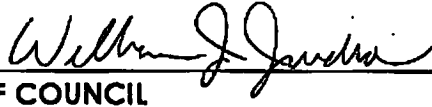
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were 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 shall take effect at the earliest date allowed by law.

**PASSED: 1st Reading – May 5, 2003 (E)
 2nd Reading –
 3rd Reading –**

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: May 6, 2003

EFFECTIVE DATE: May 6, 2003

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AGREEMENT

This Agreement made and concluded at Oberlin, Ohio, this 13th day of MAY, 2003 by and between the City of Oberlin, Ohio, a Municipal Corporation, (hereinafter referred to as "City"), and Neighborhood House Association of Lorain County, Inc., a Ohio Non-Profit Corporation, (hereinafter referred to as "House").

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, HOUSE 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, HOUSE 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. 03-37 AC CMS, deemed it necessary to appropriate the sum of THIRTY-EIGHT THOUSAND, FIVE HUNDRED DOLLARS (\$38,500.00), for senior activities for the residents of the CITY.

WHEREAS, the Council of the CITY has by Ordinance No. 03-37 AC CMS, has deemed it necessary to authorize the City Manager to enter into an agreement with

HOUSE whereby HOUSE 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 2003, HOUSE through Oberlin Seniors of Neighborhood House Association will operate a senior citizens program for the residents of the City of Oberlin which will include those services set forth in the schedule attached hereto.

SECTION 2. That the CITY, in consideration for said services, will provide financial assistance for the operation of said senior citizens program through HOUSE, for the Fiscal Year 2003, in an amount of THIRTY-EIGHT THOUSAND, FIVE HUNDRED DOLLARS, to be paid in two annual installments.

SECTION 3. Upon request, HOUSE 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 HOUSE or Oberlin Seniors of Neighborhood

House Association, and further, HOUSE 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 HOUSE or Oberlin Seniors of Neighborhood House Association and/or the funds contributed by the CITY in support of HOUSE. HOUSE 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:

Eugene F. Imo.
Witness

THE CITY OF OBERLIN

[Signature]
City Manager

NEIGHBORHOOD HOUSE
ASSOCIATION
OF LORAIN COUNTY, INC.

Patricia Ann Miera
Witness

Paul J. Buehner
Director

Approved as to form: [Signature]
City Solicitor