

ORDINANCE NO. 10 - 89 AC CMS

AN ORDINANCE APPROVING AN EXTENSION OF THE AGREEMENT FOR HAZARDOUS MATERIALS AND TECHNICAL RESCUE RESPONSE IN LORAIN COUNTY AND DECLARING AN EMERGENCY

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 an extension of the current agreement for Technical Rescue Response in Lorain County, a copy being attached hereto and incorporated herein by reference, is hereby approved, and the City Manager is hereby authorized and directed to execute same on behalf of the City.

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 public peace, health, and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to provide hazardous materials and technical rescue response services for the City of Oberlin as soon as possible in order to ensure the public safety and welfare of Oberlin residents",


and shall take effect immediately upon passage.

PASSED: 1st Reading – December 20, 2010 (S,E)
2nd Reading-
3rd Reading-

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL



KENNETH SLOANE
PRESIDENT OF COUNCIL

POSTED: 12/21/10

EFFECTIVE DATE:12/20/2010

**AGREEMENT TO EXTEND
CONTRACTUAL AGREEMENT FOR TECHNICAL RESCUE
RESPONSE IN LORAIN COUNTY**

WHEREAS, a Contractual Agreement for Technical Rescue Response in Lorain County (Contract) was entered into by numerous political subdivisions in Lorain County (Participants) and said Contract is due to expire at the end of 2010; and

WHEREAS, it is the desire of the Participants to modify the Contract, however, proposed modifications will not be completed by the end of 2010; and

WHEREAS, it is the desire of Participants to continue performance of the Contract until modifications can be completed and ratified by the Participants.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained, Participants agree as follows:

- I. The Lorain County Technical Rescue Advisory Board will continue to administer the operations of the Lorain County Technical Rescue Response Team as set forth in the Contract.
- II. The Lorain County Office of Emergency Management and Homeland Security and Lorain County Emergency Planning Committee will continue to provide assistance to Participants as set forth in the Contract.
- III. The Participants shall continue to abide by all terms and conditions of the Contract and fulfill all obligations set forth therein.
- IV. The Contract shall remain in full force and effect until ratification of new Contract occurs or until December 31, 2011, whichever occurs earlier.
- V. If a new Contract has not been ratified by December 31, 2011, this Contract will renew automatically for a period of one year terms until a new contract is ratified. Any Participant wishing to withdraw from the Contract, may do by providing sixty (60) day notice as provided in Section 21 of the Contract.
- VI. Any Participant declining to extend the Contract as herein provided shall sign and return the declination set forth below to the Lorain County Office of Emergency Management and Homeland Security, 332 N. Gateway Blvd., Elyria, Ohio 44035. If a declination is not returned, the Participants hereto will continue to fulfill the obligations of the Contract in

reliance upon the belief that any Participant not submitting a declination accepts the terms of this extension.

LORAIN COUNTY TECHNICAL ADVISORY BOARD

By: _____

Date: _____

DECLINATION

_____ (Name of Participant) hereby declines participation in the extension of the Contract and hereby withdraw as a Participant upon termination of the existing Contract, December 31, 2010.

By: _____

Date: _____

IN WITNESS WHEREOF, said political subdivisions have caused this agreement to be executed as provided by ordinance or resolution duly adopted for that purpose, a copy of which is hereto appended.

Oberlin
Name of Political Subdivision

12-18-10
Date

By: [Signature]

Title: City Manager

By: _____

Title: _____

By: _____

Title: _____

BOARD OF LORAIN COUNTY COMMISSIONERS

By: [Signature], President of the Board

By: [Signature], Vice President of the Board

By: [Signature], Board Member

LORAIN COUNTY OFFICE OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

By: [Signature] Title: DIRECTOR

LORAIN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

By: [Signature] Title: CHAIR

LORAIN COUNTY FIRE CHIEF'S ASSOCIATION

By: [Signature] Title: PRE

LORAIN COUNTY TECHNICAL RESCUE ADVISORY BOARD

By: [Signature] Title: CHAIR

Approved as to legal content and form: [Signature]
GERALD A. FISHER - LC ASSISTANT PROSECUTOR