

RESOLUTION NO.: 2018-R80
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: OCTOBER 23, 2018 **ASSIGNED TO:** INTERGOV. & UTIL.

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO EXTEND ITS AGREEMENT TO PROVIDE COMMUNITY CORRECTIONAL SERVICES WITH ORIANA HOUSE, INC., AND DECLARING AN EMERGENCY,
m.c.

WHEREAS, as a municipality, the City of Green is required to pay for work release programs, halfway house programs, and home incarceration programs for criminal defendants charged and convicted of violating City of Green municipal ordinances; and

WHEREAS, Oriana House, Inc. is an organization duly authorized to provide work release program services, halfway house services, and home incarceration services to charged and convicted defendants; and

WHEREAS, the City has previously contracted with Oriana House, Inc. for these services; and

WHEREAS, it is in the best interest of the City of Green to extend its agreement with Oriana House, Inc. for the purposes set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Green City Council authorizes the Mayor to continue under the same terms the City of Green and Oriana House, Inc have been operating under the last Agreement which ran between January 1, 2017 – December 31, 2017. The Agreement is to Provide Community Correctional Services with Oriana House, Inc. ("Agreement") for the purpose of providing incarceration services for criminal defendants charged and convicted of violations of City of Green municipal ordinances for the time period from January 1, 2018 through December 31, 2018. A copy of the Agreement is attached hereto and incorporated herein as Exhibit "A".

SECTION TWO:

Green City Council authorizes the Finance Director to make payments to Oriana House, Inc. in accordance with the terms of the Agreement.

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that services

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are currently being provided. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: November 13, 2018

Molly Kapelner
Nichole Baldinger, Clerk of Council, Interim
Molly Kapelner

Chris Humphrey
Chris Humphrey, Council President

APPROVED: Nov. 13, 2018

Gerard M. Neugebauer
Gerard M. Neugebauer, Mayor

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MAY FIN LAW PLAN ENG
SVCE FIRE PARK ZONE HR

ENACTED EFFECTIVE: Nov. 13, 2018

ON ROLL CALL: Babbitt - Aye Dyer - Aye Humphrey - Aye Shaughnessy - Aye
Speight - Aye Yeargin - Aye Young - Aye Adopted 7-0

Suburbanite publication on November 16 and November 23, 2018

Molly Kapelner
Nichole Baldinger, Clerk of Council, Interim
Molly Kapelner

10/23/2018 Approved as to form and content by William G. Chris Law Director, Interim

William G. Chris

EXTENSION AGREEMENT

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Exhibit "A"

This Extension Agreement (the "Extension"), is entered into as of January 1, 2017 (the "Effective Date"), between the **City of Green Ohio**, a charter municipal corporation (the "City"), Central Administration Building, 1755 Town Park Blvd., Green, OH 44232 and **Oriana House, Inc.**, an Ohio nonprofit corporation ("Oriana") 885 East Buchtel Avenue, PO Box 1501, Akron, Ohio 44309. The City and Power agree as set forth below:

RECITALS

- A. The City and Oriana entered into an Agreement to Provide Community Correctional Services, (the "Agreement") under which Oriana provides a home incarceration/day reporting program for non-violent misdemeanor offenders and a confinement and alcohol rehabilitation facility.
- B. The Agreement commenced on January 1, 2017 and initially expired on December 31, 2017
- C. The parties wish to extend the Agreement during negotiations of a new agreement through December 31, 2018 without adding additional money or increased pricing to the initial agreement.

In consideration of the mutual covenants, promises, conditions, and terms to be kept and performed, the parties agree, as of the Effective Date, as follows:

Section 1. Extension.

The parties agree that the termination date of the Agreement shall be December 31, 2018 (the "Termination Date"). The period of time from the Effective Date through the Termination Date shall be referred to as the "Extension Period." Oriana will continue to provide its services under the Agreement through the Termination Date at the same rates described in the Agreement.

Section 2. Compensation.

The original terms conditions, services and rates will remain in effect during the "Extension Period". The City shall be invoiced monthly, terms net 30 days in a form satisfactory to the City. Oriana may invoice the City quarterly in advance one fourth of the estimated compensation and the City, in its sole discretion, may compensate Oriana the quarterly advanced amount within 30 days of the invoice date. Adjustments for any overpayment shall be reconciled at the end of the Term.

Section 3. Other Provisions Not Affected.

Except as provided above, the Agreement will remain in full force and effect in accordance with its terms.

CITY OF GREEN OHIO

By _____
Mayor
Gerard Neugebauer

ORIANA HOUSE, INC.

By 
Bernie Rochford, Ex. Vice President