

RESOLUTION NO.: 2 - 2008  
INTRODUCED BY: Roche

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SENIOR TRANSPORTATION CONNECTION OF CUYAHOGA COUNTY FOR COORDINATING AND SCHEDULING SENIOR AND DISABLED PERSON TRANSPORTATION IN THE CITY.**

WHEREAS, on July 10, 2007, this Council adopted Resolution 68-2007 which authorized the Mayor to enter into an agreement with Senior Transportation Connection of Cuyahoga County ("STC"), a non-profit corporation in Ohio, for a transportation van for senior citizens and disabled persons; and

WHEREAS, the City has been providing transportation for senior citizens and disabled persons for several months and needs to continue its cooperative services relationship with STC for 2008 for the provision of call-in center services for scheduling of riders and other related services; and

WHEREAS, STC has proposed to the City for calendar year 2008 a "Designated Service Provider Agreement" and an "Amendment to Designated Service Provider Agreement" (hereinafter collectively the "Agreement"); and

WHEREAS, STC asserts that it should be indemnified and held harmless, to the extent permitted by law, for any liabilities arising by the acts or omissions of the City of Richmond Heights, its officials, employees or agents with respect to activities related to the Agreement with STC; and

WHEREAS, this Council wishes to proceed with the program to provide transportation to senior citizens and disabled persons in the City of Richmond Heights and that the liability risk involved with indemnifying and holding harmless STC is a risk of the cost of defense of STC with respect to any lawsuit resulting from the acts or inaction of the City of Richmond Heights, its officers, directors, agents and employees, which defense costs are covered by the City's protected self insurance program through the Northern Ohio Risk Management Association (NORMA); and

WHEREAS, this Council finds that the Mayor, Director of Finance and Director of Law shall not be held personally responsible or liable for any obligations related to indemnifying or holding harmless STC as set forth in the Agreement; and

WHEREAS, otherwise, this Council finds the Agreement acceptable;

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Based upon the findings set forth in the preamble of this Resolution, the Mayor is hereby authorized to enter into the Agreement with Senior Transportation Connection of Cuyahoga County substantially in a form as set forth in Exhibit 1 to this Resolution, attached hereto and incorporated herein, for certain services related to the provision of transportation for senior citizens and disabled persons and that the cost to the City shall be as set forth in this Agreement.

Section 2: The Director of Finance is authorized and directed to appropriate to a proper account the sum sufficient to cover the costs of the Agreement authorized in Section 1 of this Resolution.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

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Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council