

AN ORDINANCE AUTHORIZING AND DIRECTING THE
DIRECTOR OF SAFETY AND SERVICE TO EXECUTE A
TERMINATION AND RELEASE AGREEMENT OF THE 2014 EMS
AGREEMENT WITH FISHER-TITUS AFFILIATED SERVICES AND
DECLARING AN EMERGENCY

WHEREAS, in July 2014 the City entered into an EMS Agreement with Norwalk Area Health Services, DBA North Central (nka Fisher-Titus Affiliated Services), in which North Central agreed to provide emergency medical services to the City and its residents; and

WHEREAS, the EMS Agreement provided that it would be in effect until July 22, 2019, and would continue thereafter unless one of the parties to the agreement delivered a one year notice of termination of the agreement; and

WHEREAS, on April 16, 2018, North Central delivered notice to the City that it would not continue to provide emergency medical services to the City after July 22, 2019; and

WHEREAS, the parties to the EMS Agreement have met and desire to terminate the EMS Agreement with North Central prior to July 22, 2019, and the parties have agreed to terminate North Central's emergency medical services effective as of 12:00 PM on April 1, 2019.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The Director of Safety and Service is hereby authorized and directed to execute on behalf of the City a Termination and Release Agreement (the "Release Agreement") from the terms and provisions of the July 22, 2014 EMS Agreement with Fisher-Titus Affiliated Services, fka Norwalk Area Health Services, an Ohio non-profit Corporation, and the other parties to the EMS Agreement, in accordance with the terms and provisions of the Release Agreement on file in the Safety Service Director's Office, with such changes or modifications to the Release Agreement that may be found to be necessary and reasonable, after consultation with the Law Director, and which changes or modification are not materially adverse to the City.

Section 2. The Director of Safety and Service, the Auditor, the Treasurer, the Clerk of Council, the Director of Law, and other City officials as appropriate are further authorized and directed to enter into any agreements and to sign such other documents and instruments and to take such actions as may be necessary and appropriate for accomplishing the purposes of this Ordinance.

Section 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of

its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the Termination and Release Agreement may be signed and effective prior to April 1, 2019, and so that the City's EMS Service will have time to commence operations and services prior to the beginning of the summer tourist season; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2019

President of Council

Attest: _____
Clerk of Council

Approved _____, 2019

Mayor