

**ORDINANCE NO. 29-21****AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 21-21 PASSED FEBRUARY 8, 2021, RELATIVE TO THE PAYMENT FOR THE DESIGN-BUILD CONTRACT WITH CPS CONSTRUCTION, INC. FOR DESIGN AND CONSTRUCTION OF A CITY HALL PARKING STRUCTURE, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Ordinance No. 114-19, passed July 31, 2019, authorized the Design-Build Contract with CPS Construction, Inc. for design and construction of a City Hall Parking Structure; and

**WHEREAS:** Ordinance No. 142-20, passed August 24, 2020, amended the contract amount from \$3,714,000.00 to \$3,640,571.68 for the design and construction of a City Hall Parking Structure; and

**WHEREAS:** Ordinance No. 21-21, passed February 8, 2021 amended the final payment amount for the contract.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Section 2 of Ordinance 21-21, passed February 8, 2021, is hereby amended to read as follows: That the additional \$103,428.32 in funds to cover these costs are available in Account No. 109-0725-54412.

**SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the project is complete and payment is due; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

**PASSED:** February 22, 2021

**SIGNED:** John M. Coyne, III  
President of Council

**ATTEST:** Kathy Patton  
Clerk of Council

**APPROVED:** February 23, 2021

**SIGNED:** Dennis Hanwell  
Mayor