

ORDINANCE NO. 20-111

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SANDUSKY OF A PROPOSED AMENDMENT TO SECTION 25 OF THE CHARTER OF THE CITY OF SANDUSKY ADJUSTING THE EXPENDITURE THRESHOLDS REQUIRING COMPETITIVE BIDDING AND CITY COMMISSION APPROVAL, AND DECLARING AN EMERGENCY.

WHEREAS, the Charter Review Committee appointed by this City Commission pursuant to Section 87 of the Charter has recommended that Section 25 of the Charter be amended in order to update the expenditure thresholds requiring competitive bidding and the approval of the City Commission from \$10,000 to \$50,000; and

WHEREAS, this City Commission at its meeting held on July 27, 2020 deliberated on this matter and determined to consider whether to submit to the electors of the City the question of amending Section 25 of the Charter in order to update the expenditure thresholds requiring competitive bidding and the approval of the City Commission from \$10,000 to \$25,000; and

WHEREAS, it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio and its citizens, to provide for the usual daily operation of a municipal department, to provide that the Clerk of this City Commission can certify this ordinance to the election authorities immediately in order for the question to appear on the ballot at the election to be held on November 3, 2020, and by reason thereof, the City Commission finds that an emergency exists regarding the aforesaid, and it is advisable that this ordinance be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, NOT LESS THAN TWO-THIRDS (2/3) OF ALL THE MEMBERS THEREOF CONCURRING, THAT:

Section 1. Pursuant to Article XVIII, Section 9 of the Ohio Constitution and Section 82 of the Charter of the City of Sandusky, this City Commission hereby authorizes and directs the submission to the electors of the City of Sandusky at an election to be held at the usual places of voting in said City on November 3, 2020, of the following proposal to amend Section 25 of the Charter of the City of Sandusky, Ohio:

That existing Section 25 of the Charter be amended to read as follows:

“§25 EXPENDITURES.

Until otherwise provided by the City Commission, the City Manager shall act as the purchasing agent for the City, by whom all purchases shall be made, and who shall approve all vouchers for the payment of the same. Such purchasing agent shall also conduct all sales of personal property which the City Commission may authorize to be sold as having become unnecessary or unfit for the City's use.

All purchases and sales shall conform to such regulations as the City may from time to time prescribe; but in either case, if an amount in excess of \$1,000 is involved, competitive quotations shall be obtained. When it is anticipated an expenditure will exceed \$25,000, formal competitive bidding shall be required; no such expenditure shall be split up for the sole purpose of evading this requirement.

When purchases or sales are made on joint accounts of separate departments, the purchasing agent shall apportion the charge or credit to each department. He or she shall see to the delivery of supplies to each department, and take, and retain the receipt of each department therefor.

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Real property owned by the City may be sold or leased by the City without the need for competitive bids. Negotiations for the sale or lease of City property are permissible, where deemed appropriate by the City Manager, for the benefit of the City.

Competitive bidding shall not be required where the purchase consists of supplies, a replacement part or supplemental parts, or services for products, equipment or property owned or leased by the City and the only source of supply for such supplies, parts or services is limited to a single provider.

When an expenditure, other than the compensation of persons employed by the City, exceeds \$25,000, such expenditure shall first be authorized and directed by ordinance or resolution of the City Commission, and no contract involving an expenditure in excess of such sum shall be made or awarded, except upon approval of the City Commission.”

Section 2. If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then such amendment shall thereupon take effect and such Section 25, as so amended, shall thereupon be a part of the Charter and existing Section 25, in its present form, of the Charter shall thereupon be repealed.

Section 3. It is the desire of the City Commission that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT  
A majority affirmative vote is necessary for passage.

Shall Section 25 of the City Charter be amended to adjust the expenditure threshold for competitive bidding and specific approval of the City Commission from \$10,000 to \$25,000?

	YES
	NO

Section 4. The Clerk of the City Commission is hereby authorized and directed to forward a certified copy of this ordinance to the Board of Elections of Erie County on or before 4:00pm on August 5, 2020.

Section 5. The Board of Elections of Erie County shall cause an appropriate notice to be duly given of the election to be held on November 3, 2020, on the foregoing amendment to the Charter of the City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. The Clerk of this City Commission is hereby authorized and directed to mail a copy of the proposed Charter amendment to each elector at least thirty days prior to the election to be held on November 3, 2020, as provided in Section 82 of the Charter, in Article XVIII, Section 9 of the Constitution of the State of Ohio, and in Section 731.211 of the Ohio Revised Code.

Section 7. There is hereby appropriated from the General Fund a sufficient sum of money to pay expenses related to the aforesaid mailing and election.

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Section 8. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 9. That, for the reasons set forth in the last preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect immediately upon its passage and due authentication by the President and the Clerk of the City Commission.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST: 

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MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: August 3, 2020