

ORDINANCE NO. 22-028

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT EXTENSION WITH BROWNING-FERRIS INDUSTRIES OF OHIO, INC. D.B.A. REPUBLIC SERVICES OF SANDUSKY, OHIO, FOR YARD WASTE COLLECTION SERVICE IN CALENDAR YEAR 2022 WHICH IS AVAILABLE FOR THE PERIOD OF APRIL 1, 2022, THROUGH DECEMBER 31, 2022; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, since 2004, the City has offered a yard waste collection service for a monthly fee (labor, disposal, and administration) that is added to participating customer's water and sewer bills; and

WHEREAS, this City Commission approved awarding a contract to Browning-Ferris Industries of Ohio, Inc., d.b.a. Republic Waste Services of Sandusky, Ohio, for the 2020 Yard Waste Collection Services, which included an option to extend for two (2) additional terms from April 1, 2021, through December 31, 2021, and from April 1, 2022, through December 31, 2022, by Ordinance No. 20-060, passed on March 23, 2020; and

WHEREAS, the City Commission approved a one (1) year contract extension with Browning-Ferris Industries of Ohio, Inc. d.b.a. Republic Services of Sandusky, Ohio, for Yard Waste Collection Services in Calendar year 2021 by Ordinance No. 21-006, passed on January 25, 2021; and

WHEREAS, the City desires to extend the contract for the term of April 1, 2022, through December 31, 2022, at the same price of \$12.60 per customer, per month, and has been agreed to by Browning Ferris Industries of Ohio, Inc.; and

WHEREAS, the estimated cost of this program based upon service for a one (1) day per week pickup at a cost of \$12.60 per month per residence and a contract for (9) months is \$73,143.00 (based on 2021 enrollment of 645 customers) which will be charged back to the customers in addition to a charge of \$0.50 per month for administrative costs and is subject to change due to additions and deletions of customers in the program; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow notification to be sent to residents who participate in the program and allow Browning Ferris Industries of Ohio, Inc. d.b.a. Republic Waste Services to begin the program on April 1, 2022; and

WHEREAS, in that 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, and to provide for the efficient daily operation of Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in

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accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a one (1) year contract extension with Browning Ferris Industries of Ohio, Inc. d.b.a. Republic Services of Sandusky, Ohio, for yard waste collection services in calendar year 2022 which is available for the period of April 1, 2022, through December 31, 2022, at a cost of Twelve and 60/100 Dollars (\$12.60) per month per residence opting into the program. Said yard waste collection services shall be provided in accordance with the contract with Browning Ferris Industries of Ohio, Inc. d.b.a. Republic Waste Services of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. 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 of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: February 28, 2022