

**ORDINANCE NO. 22-032**

**AN ORDINANCE DECLARING A 1999 TORO 580 MOWER AS UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A NEW TORO GROUNDSMASTER 5910 ROTARY MOWER FROM CENTURY EQUIPMENT OF TOLEDO, OHIO, THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM FOR THE GROUNDS MAINTENANCE DIVISION; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, it has been determined by the Fleet Maintenance Chief Foreman that the 1999 Toro 580 Mower is no longer fit for use due to its age and availability of parts and is recommending this mower be declared obsolete, unnecessary and unfit for City use and be auctioned on the internet with the proceeds from the sale to be deposited in the Issue 8 Capital Fund (Vehicles, Facilities & Equipment Fund); and

**WHEREAS**, it is recommended to replace the 1999 Toro 580 Mower with a new Toro Groundsmaster 5910 Rotary Mower which is equipped for increased efficiency and ease of operation; and

**WHEREAS**, Sourcewell's (formerly National Joint Powers Alliance [NJPA]) cooperative contract purchasing leverages the national purchasing power of more than 50,000 member agencies while also streamlining the required purchasing process and as a municipal national contracting agency, Sourcewell establishes and provides nationally leveraged and competitively solicited purchasing contracts under the guidance of the Uniform Municipal Contracting Law; and

**WHEREAS**, the City, as a member of the Sourcewell Cooperative Purchasing Program (Member ID 68351), desires to purchase a Toro Groundsmaster 5910 Rotary Mower that has been competitively bid and made available through the membership from Century Equipment of Toledo, Ohio; and

**WHEREAS**, the total cost of a new Toro Groundsmaster 5910 Rotary Mower is \$124,521.50 and will be paid with Issue 8 Capital Funds; 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 to allow the order to be immediately placed as the current lead time for delivery is approximately six (6) months; 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 the Municipal Departments, including the Grounds Maintenance Division, 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

**PAGE 2 - ORDINANCE NO. 22-032**

take immediate effect in 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. This City Commission finds and determines that the 1999 Toro 580 Mower, is unnecessary and unfit for City use pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of this personal property no longer needed for City purposes through public auction, sale process or internet auction with the proceeds from sale to be deposited into the Issue 8 Capital Fund (Vehicles, Facilities & Equipment).

Section 2. The City Manager is authorized and directed to expend funds for the purchase of a new Toro Goundsmaster 5910 Rotary Mower, through the Sourcewell Cooperative Purchasing Program (Contract 031121-TTC) from Century Equipment of Toledo, Ohio, for the Grounds Maintenance Division at an amount **not to exceed** One Hundred Twenty Four Thousand Five Hundred Twenty One and 50/100 Dollars (\$124,521.50).

Section 3. 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 4. 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 5. 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.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: February 28, 2022