

ORDINANCE NO. 23-216

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$2.5 MILLION FROM THE OHIO DEPARTMENT OF DEVELOPMENT THROUGH THE WATER AND WASTEWATER INFRASTRUCTURE GRANT PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY GRANT AGREEMENTS AND TO EXPEND THE FUNDS CONSISTENT WITH THE GRANT AGREEMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Water and Wastewater Infrastructure Grant program provided grants to improve access to clean drinking water and wastewater infrastructure up to \$250,000 for design projects and up to \$5 million for construction projects to public entities within a political subdivision with the authority to own and operate public water and sewer systems; and

WHEREAS, the City applied for Water and Wastewater Infrastructure Grant funds in 2021 without success and then later in June of 2023, was contacted by the Ohio Department of Development with interest in providing funding for the City's Perkins Avenue Waterline and Resurfacing Project and was notified in July of 2023 the City was being awarded \$2.5 million in grant funds for the project; and

WHEREAS, the City Commission approved a Cooperative Agreement with the Ohio Water Development Authority (OWDA) to finance the cost of construction for the storm sewer, sanitary and water, as part of the Perkins Avenue Waterline and Resurfacing Project by Ordinance No. 22-209, passed on October 24, 2022; and

WHEREAS, the City will utilize the grant funds to cover expenses on the additional work necessary for the project and reduce the amount of OWDA loans for the cost of construction; and

WHEREAS, authorization to approve the First Change Order for work performed by Speer Bros., Inc. of Sandusky, Ohio, for the Perkins Avenue Waterline and Resurfacing Project in the amount of \$642,393.02 is being requested in companion legislation; 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 for the expenditure of funds on current construction activity; 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 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 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 authorizes and directs the City Manager

and/or Finance Director to accept grant funds from the Ohio Department of Development through the Water and Wastewater Infrastructure Program for the Perkins Avenue Waterline and Resurfacing Project, in the amount of Two Million Five Hundred Thousand and 00/100 Dollars (\$2,500,000.00).

Section 2. This City Commission authorizes and directs the City Manager to execute any grant agreement between the City of Sandusky and the Ohio Department of Development in relation to the acceptance of the grant funds and to lawfully expend the funds consistent with the grant agreement.

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 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: November 13, 2023