

**ORDINANCE NO. 24-019**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A CYANOTOXIN AUTOMATED ASSAY SYSTEM (CAAS) CUBE AUTOMATED ANALYSIS SYSTEM FROM GOLD STANDARD DIAGNOSTICS HORSHAM INC. OF WARMINSTER, PENNSYLVANIA, FOR USE AT THE BIG ISLAND WATER WORKS (BIWW) PLANT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, algal blooms have become more noticeable in Ohio's lakes, streams, and rivers during the last several years and although most blooms are green algae and not harmful, there are some that are actually a type of cyanobacteria that have the ability to produce toxins, called harmful algal blooms (HABs) that are capable of causing illness and in addition to producing toxins, these HABs can produce taste and odor issues in public water supplies; and

**WHEREAS**, the Ohio Environmental Protection Agency (EPA) issued new regulations on June 5, 2016, requiring testing of drinking water on a rigorous year-round schedule and subsequently the City purchased the existing CAAS that is now obsolete and replacement parts are no longer being manufactured; and

**WHEREAS**, Gold Standard Diagnostics Horsham Inc. (formerly Abraxis, Inc.) of Warminster, Pennsylvania, is the sole source provider for OEPA certified microcystin analysis and the Cyanotoxin Automated Assay System (CAAS) is the only automated equipment offered to laboratories in Ohio; and

**WHEREAS**, the cost for the Cyanotoxin testing equipment is \$38,542.32 and will be paid with Water 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 in order to purchase and received the equipment and ensure it is operational for the 2024 algal season; 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. The City Manager is authorized and directed to purchase a Cyanotoxin Automated Assay System (CAAS) Cube Automated Analysis System

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from Gold Standard Diagnostics Horsham Inc. of Warminster, Pennsylvania, for use at the Big Island Water Works (BIWW) plant at an amount **not to exceed** Thirty-Eight Thousand Five Hundred Forty-Two and 32/100 Dollars (\$38,542.32).

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.



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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: January 22, 2024