

ORDINANCE NO. 24-080

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LEACH EXCAVATING OF OLMSTED TOWNSHIP, OHIO, FOR THE CEDAR POINT CAUSEWAY WETLANDS 2024 TEMPORARY SEEDING PLAN PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City accepted grant funds in the amount of \$100,000.00 from the Ohio Department of Natural Resources through the Healthy Lake Erie Grant Program, in cooperation with the Ohio Environmental Protection Agency, for the Cedar Point Causeway Wetland Project – Phase 1 related to the Sandusky Bay Initiative by Ordinance No. 21-092, passed on June 14, 2021; and

WHEREAS, the Causeway Wetlands has accepted materials from the federal navigation channel via two (2) dredging projects managed by the Army Corps of Engineers (Corps) in 2022 and 2023, and since the success of the wetlands is predicated on establishment of native species for wildlife habitat, it is important to establish native vegetation prior to the growth of invasive species; and

WHEREAS, City Staff is working with the State of Ohio to utilize grant funds and this Cedar Point Causeway Wetlands 2024 Temporary Seeding Plan Project involves spreading a native seed mix over the north cell prior to April 30, 2024, in hopes of establishing native vegetation at the onset of the growing season; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Cedar Point Causeway Wetlands 2024 Temporary Seeding Plan Project by Resolution No. 014-24R, passed on March 11, 2024; and

WHEREAS, upon public competitive bidding as required by law five (5) appropriate bids were received and the bid from Leach Excavating of Olmsted Township, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total contract cost of this project is \$48,208.00 and will be paid with funds received from the Ohio Department of Natural Resources through the Healthy Lake Erie Grant 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 complete the project prior to April 30, 2024; 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:

PAGE 2 - ORDINANCE NO. 24-080

Section 1. The City Manager is authorized and directed to enter into a contract with Leach Excavating of Olmsted Township, Ohio, for the Cedar Point Causeway Wetlands 2024 Temporary Seeding Plan in an amount **not to exceed** Forty-Eight Thousand Two Hundred Eight and 00/100 Dollars (\$48,208.00) consistent with the bid submitted by S Leach Excavating of Olmsted Township, 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: April 9, 2024