

RESOLUTION NO. 058-22R

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED MILLS STREET HIGH RATE TREATMENT PROJECT; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, based on negotiations with the Ohio Environmental Protection Agency (EPA) from 2012-2015 regarding the City's General Plan Update, the City has an existing National Pollutant Discharge and Elimination System (NPDES) permit for the wastewater conveyance and treatment system that requires completing construction and operation of several projects such as the Grit Tank Expansion, East End Sewer Improvements, Pier Track Lift Station Improvements, and Farewell Lift Station Improvements; and

WHEREAS, all of these projects are designed to reduce overflows throughout the city's network as well as replace or upgrade aging infrastructure to reduce surface and basement flooding and the final project included in the original negotiations is a 16 million gallon per day (MGD) High Rate Treatment (HRT) Facility intended to reduce permitted combined sewer overflows (CSO) from the Mills Street bypass station prior to December 1, 2024; and

WHEREAS, the City Commission approved an agreement for Professional Design Services with Stantec Consulting Services, Inc. of Cleveland, Ohio, for the Mills Street High Rate Treatment Project by Ordinance No. 21-136, passed on September 13, 2021, and subsequently approved an amendment to the agreement for additional services by Ordinance No. 22-047, passed on March 14, 2022; and

WHEREAS, the estimated construction cost of the project is \$33,500,000.00 and the City will be applying for funds through the Water Pollution Control Loan Fund (WPCLF) program to finance the project and partial reimbursement will be requested from Erie County pursuant to the Sewer Services Agreement and associated Amendments; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to obtain competitive bids, award a contract and complete the project by the deadline of December 1, 2024, as set by the NPDES permit as it is estimated the project will need upwards of 24 months to complete; 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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

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Section 1. The specifications and estimates of cost as prepared by the Director of Public Works and submitted to this City Commission, and which are now on file in the offices of the Director of Public Works and the Clerk of the City Commission, for the proposed Mills Street High Rate Treatment Project be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the proposed Mills Street High Rate Treatment Project, at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed Mills Street High Rate Treatment Project, as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution 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 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution 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 6. That for the reasons set forth in the preamble hereto, this Resolution 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: October 24, 2022