

ORDINANCE NO. 20-152

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GARZA DIRT WORKS, LLC, OF CLYDE, OHIO, FOR THE CDBG FY20 DEMOLITION PROJECT #1; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed CDBG FY20 Demolition Project #1 by Resolution No. 028-20R, passed on July 13, 2020; and

WHEREAS, the original CDBG FY20 Demolition Project #1 involved asbestos abatement and demolition of eight (8) residential vacant and blighted structures located at 1932 Putnam Street, 423 Fulton Street, 1520-1522 Hayes Avenue, 410 Lawrence Street, 805 N. Depot Street, and 1847 Third Street (garage only), 1913 Camp Street and 2106 Parkview Boulevard; and

WHEREAS, subsequent to approval of the Resolution and prior to advertising, the garage at 1847 Third Street was voluntarily demolished and the property owners of 1730 Putnam Street were denied their demolition appeal through the Housing Appeals Board; and

WHEREAS, this City Commission amended Resolution No. 028-20R, passed on July 13, 2020, and declared the necessity for the City to proceed with a modified CDBG FY20 Demolition Project #1 by Resolution No. 041-20R, passed on October 12, 2020; and

WHEREAS, the modified CDBG FY20 Demolition Project #1 involves the asbestos abatement and demolition of eight (8) residential structures which are vacant and blighted and ordered for demolition by the City or the Housing Appeals Board and the privately owned properties are located at 1932 Putnam Street, 423 Fulton Street, 1520-1522 Hayes Avenue, 410 Lawrence Street, 805 N. Depot Street, and 1730 Putnam Street, and the City owned properties are located at 1913 Camp Street and 2106 Parkview Boulevard; and

WHEREAS, upon competitive bidding as required by law five (5) appropriate bids were received and the bid from Garza Dirt Works, LLC, of Clyde, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost for the asbestos abatement and demolition is \$109,982.00 of which \$100,232.00 will be paid with FY20 Community Development Block Grant (CDBG) funds for seven (7) of the properties and the costs for the property at 1730 Putnam Street will be paid with a maintenance bond in the amount of \$8,715.00 and FY20 Community Development Block Grant (CDBG) funds in the amount of \$1,035.00; 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 move forward with the project and to continue to implement the City's efforts towards blight elimination in the interest of the health and safety and general welfare of the citizens of Sandusky; 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

PAGE 2 - ORDINANCE NO. 20-152

City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Planning, 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 enter into a contract with Garza Dirt Works, LLC, of Clyde, Ohio, for the CDBG FY20 Demolition Project #1, in an amount **not to exceed** One Hundred Nine Thousand Nine Hundred Eighty Two and 00/100 Dollars (\$109,982.00) consistent with the bid submitted by Garza Dirt Works, LLC, of Clyde, 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:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION