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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 24 -2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS
10 WITHOUT COMPETITIVE BIDDING FOR THE EMERGENCY
11 PURCHASE OF A POTABLE WATER TANKER TRUCK, AND
12 INCREASE APPROPRIATIONS IN THE WATER FUND BY
13 \$100,000, AND DECLARING AN EMERGENCY.
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15 WHEREAS, by way of Ordinance No. 141-2007, passed December 10, 2007, City
16 Council enacted section 923.02 of the Codified Ordinances, which states the City's
17 Water and Sewer Division will deliver potable water upon request to residents lacking
18 access to City water mains or a functioning well; and
19

20 WHEREAS, in late 2014, the City's existing potable water tanker truck experienced
21 mechanical failure and is no longer serviceable; and
22

23 WHEREAS, access to potable water is essential to the health and wellbeing of the
24 City's residents.
25

26 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
27 County of Summit and State of Ohio, that:
28

29 Section 1. Council finds that there exists a real and present emergency in
30 connection with the cessation of the City's potable water delivery service, such that
31 normal competitive bidding for the purchase of the equipment, supplies and materials
32 necessary to restore this service cannot be accomplished without unreasonable risk to
33 the public's health and safety.
34

35 Section 2. The Director of Public Service is hereby authorized to enter into a
36 contract or contracts without competitive bidding with a qualified vendor for the
37 purchase, lease or rental of a new or used potable water tanker truck, or a similar tanker
38 truck that may be retrofitted as a potable water tanker truck. Said truck shall have a
39 capacity of at least 1,600 gallons, and the contract or contracts authorized herein may
40 include preparation, retrofitting (if necessary) and delivery. The contract or contracts
41 authorized herein shall contain such provisions as are required by the Director of Law
42 for the protection of the City's interests, but shall not exceed \$100,000.00, without
43 further consent of City Council.
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45 Section 3. The Director of Finance is hereby authorized and directed to make
46 payment for same from the Water Fund, Line Item Capital Outlay.
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48 Section 4. Appropriations are hereby increased in the Water Fund, Line Item
49 Capital Outlay, in the amount of \$100,000.00.
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51 Section 5. Any other ordinances or resolutions or portions of ordinances and
52 resolutions inconsistent herewith are hereby repealed, but any ordinances and
53 resolutions not inconsistent herewith and which have not previously been repealed are
54 hereby ratified and confirmed.

55 Section 6. It is found and determined that all formal actions of this Council
56 concerning and relating to the passage of this ordinance were taken in an open meeting
57 of this Council and that all deliberations of this Council and of any committees that
58 resulted in those formal actions were in meetings open to the public, in compliance with
59 all legal requirements including Chapter 107 of the Codified Ordinances.

60 Section 7. This ordinance is hereby declared to be an emergency measure necessary
61 for the preservation of the public peace, health, safety, convenience and welfare of the
62 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the
63 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
64 take effect and be in force immediately upon its passage and approval by the Mayor;
65 otherwise it shall take effect and be in force at the earliest period allowed by law.

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68 Passed: 4/13/2015



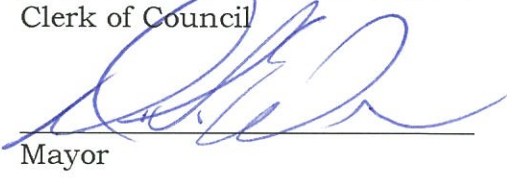
President of Council

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Clerk of Council

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76 Approved: 4-14-15



Mayor

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79 4/6/15
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