

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 252, PURCHASING PROCEDURES AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Committee and Finance Director have recommended amending Codified Ordinance Chapter 252, Purchasing Procedures; and

WHEREAS, Council coming now to consider said recommendation approves it in full.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Codified Ordinance Chapter 252.02, 252.03, 252.04, is hereby amended as follows:

252.02 PURCHASES UNDER ~~\$5,000.~~ **\$24,999**

(a) Department heads may initiate purchases in amounts under ~~five thousand dollars (\$5,000)~~ **twenty-four thousand nine hundred ninety-nine dollars (\$24,999)** without Council or other approval if ~~money has been appropriated~~ **funds have been appropriated in the budget** and ~~are~~ **is** available for such purposes and the unencumbered balance of the account is sufficient to include the cost of the item.

~~—(b) A requisition shall be prepared for purchases in excess of one thousand dollars (\$1,000) but less than five thousand dollars (\$5,000) and submitted to the Director of Finance, who shall issue a purchase order forthwith, if money required for the expenditure is in the treasury to the credit of the fund from which it is to be drawn and not appropriated for any other purpose.~~

252.03 PURCHASES BETWEEN ~~\$5,000~~ **\$25,000** AND ~~\$25,000~~ **\$49,999.**

(a) Department heads may initiate purchases in amounts of ~~which cost five thousand dollars (\$5,000)~~ **twenty-five dollars (\$25,000)** or more, up to and including ~~twenty-five thousand dollars (\$25,000)~~ **forty-nine thousand nine hundred ninety-nine dollars and 99/100 (\$49,999.99)** if **funds have been appropriated in the budget** ~~appropriations have been provided for~~ and the unencumbered balance of the account is sufficient to include the cost of the item and the department head has presented a requisition for said purchase to the appropriate Council Committee for its review.

(b) Written and public specifications shall be first prepared and placed on file and then competitive quotations shall be secured either by the department head or the Director of Finance.

(c) Insofar as possible and practical, such competitive quotations shall be secured, in writing, from at least three parties and shall be submitted by the department head to the **Finance** Director with a requisition for the item to be purchased. The requisition shall include the specifications, a list of the quotations received, the quotation that the department head wishes to accept and, if the quotation to be accepted is not the lowest price for the item, the reason why it is the best purchase for the cost. If the necessary three or more written quotations were not received, the requisition shall specify good and sufficient reasons why they were not so taken.

(d) The department head shall prepare an abstract of the quotations and present it with such requisitions and other accompanying data to the appropriate Council Committee for its review. The **Finance** Director shall issue a purchase order if money required for the expenditure or contract is in the treasury, or is in the process of collection, to the credit of the fund from which it is to be drawn and not appropriated for any other purpose.

(e) All requisitions submitted shall be retained on file by the **Finance** Director.

252.04 PURCHASES OVER ~~\$25,000.~~ **\$50,000**

All purchases exceeding ~~twenty-five thousand dollars (\$25,000)~~ **fifty thousand dollars (\$50,000)** shall be made ~~only after advertisement and competitive bidding as required by Section 59 of the City Charter, except as otherwise provided therein, and as interpreted by Council pursuant to Section 71 of the City Charter.~~ **according to Ohio Revised Code.**

~~252.09 PURCHASING CARD POLICY. [DELETED]~~

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure to amend the permit process prior to the start of the summer recreational activities and seasonal community activities, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 3/14/2022

2nd reading 3/28/2022

3rd reading:

PASSED: 4/11/2022

/s/ Martin E. O'Donnell

President of Council

POSTED: 4/12/2022

APPROVED: 4/15/2022

ATTEST: /s/ Valerie E. Rosmarin
Clerk of Council

/s/ Gregory J. Zilka
Mayor