

ORDINANCE NO.: 111 -2022
INTRODUCED BY: All of Council

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF RICHMOND HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE VI, SECTION 3, TO INCREASE THE MONETARY THRESHOLD REQUIRING COMPETITIVE BIDDING OF CITY CONTRACTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Charter Review Committee, pursuant to Article XIV of the City Charter, has recommended to place the issue of amending the Charter before the City's electorate in order to increase the threshold for requiring competitive bidding for City contracts;

WHEREAS, pursuant to the Charter, Article XIV, Council shall submit this proposed amendment to the electorate;

WHEREAS, the Ohio Constitution provides that the Council shall submit the amendments to the electors at the next regular election that occurs not less than 60 nor more than 120 days from the passage of such ordinance, which is the general election on November 8, 2022, but the Council is required to file this Ordinance with the Cuyahoga County Board of Elections by September 9, 2022.

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, Cuyahoga County, State of Ohio, that:

Section 1: There shall be submitted to a vote of the qualified electors of the City, at the general election to be held on Tuesday, the 8th day of November, 2022, at the regular places of voting in the City during the regular hours of voting on such date as prescribed by general law, the question of the amendment of the Charter of the City of Richmond Heights, at Article VI, Section 3 – "Director of Finance", so that, as amended, it shall read in pertinent part as follows:

ARTICLE VI
ADMINISTRATIVE DEPARTMENTS, BOARDS, AND COMMISSIONS

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SECTION 3. DIRECTOR OF FINANCE.

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(n) Public Bidding.

1. **Bidding Required.** Each net expenditure of more than ~~twenty-five fifty~~ thousand dollars (\$~~2550~~,000) shall be made to the lowest and best bidder after public advertising in a manner prescribed by the Council. Council shall not be required to accept any bid.

2. Waiver of Requirement. The Council may authorize expenditures exceeding ~~twenty-five fifty~~ thousand dollars (\$2550,000) without public advertising in the following specific cases: acquisition of real estate; discharge of noncontractual claims against the Municipality; for personal professional services; for joint use of facilities with other political subdivisions; participation in State of Ohio cooperative purchasing programs and cooperative purchasing programs of political subdivisions where bids or quotations are received for the products or services being purchased; and for the products or services of public utilities; provided, that Council may authorize a purchase or contract involving an expenditure of more than ~~twenty-five fifty~~ thousand dollars (\$2550,000) without advertising for bids if it determines and declares by an affirmative vote of not less than five (5) members than an emergency exists and sets forth the nature of the emergency in its resolution or ordinance.

Section 2: The Board of Elections of Cuyahoga County is hereby directed to provide for the voting upon said Amendment and the ballots for said election shall, at the top thereof, be entitled "Proposed Charter Amendment City of Richmond Heights", and the question to be submitted on said ballot shall be substantially in the following words:

"Shall Section 3 of Article VI of the Richmond Heights Charter be amended to increase the threshold for requiring competitive bidding of City contracts from more than twenty-five thousand dollars per contract to more than fifty thousand dollars per contract?"

Section 3: The Clerk of Council is directed to give notice of the above proposed Charter Amendment to the electors of the City in accordance with general law, and to certify a copy of the Ordinance to the Board of Elections of Cuyahoga County, Ohio, as provided by law.

Section 4: The Director of Finance is authorized and directed to appropriate from the general fund a sum sufficient to pay the cost of publishing said notice referred to in Section 3.

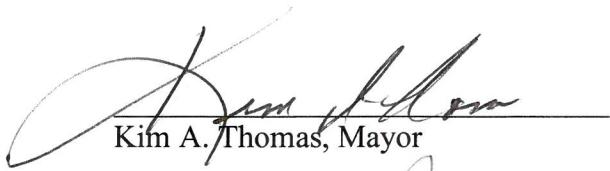
Section 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City of Richmond Heights for the reason that it is necessary to timely submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the general election to be held on November 8, 2022, in compliance with the Ohio Constitution and the City

Charter, and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor.

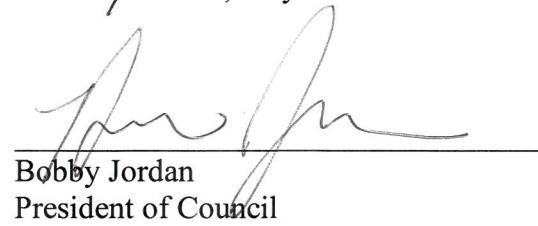
PASSED: August 23, 2022

APPROVED: August 23, 2022



Kim A. Thomas, Mayor

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council



Bobby Jordan
President of Council