

AN ORDINANCE ADOPTING NEW POLICIES REGARDING THE PURCHASE, SALE, OR LEASE OF CITY OWNED OR CONTROLLED REAL ESTATE AND CREATING CHAPTER 214 AND AMENDING SECTIONS 206.02(b) AND 220.05(b)(2) OF THE CODIFIED ORDINANCES OF THE CITY OF HUDSON.

WHEREAS, the City presently and will continue to own and manage real estate, other real property interests, and personal property that may become no longer needed for public purposes; and

WHEREAS, the City may also desire to purchase, lease, or transfer real estate, real property interests, and/or personal property in the future; and

WHEREAS, as a charter community with home rule authority under Article XVIII, Section 3 of the Ohio Constitution, the City can specify processes that are designed to meet the local needs of the community; and

WHEREAS, public discussion regarding the purchase, lease and/or transfer of City-owned land, other real property interests, and/or personal property would reveal information that would provide third-parties information regarding the City's plans and best interests, giving those third parties an unfair competitive or bargaining advantage over the City; and

WHEREAS, it is in the best interest of the City to modify the processes surrounding the purchase, lease and/or transfer of City-owned real estate, real property interests, and/or personal property and that a revision to the current system serves to protect the health, safety and general welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, Ohio, as follows:

Section 1. That Chapter 214 of the Codified Ordinances of the City of Hudson is hereby created and shall provide as set forth in Exhibit "A," which is attached hereto and incorporated herein.

Section 2. That Section 206.02(b) of the Codified Ordinances of the City of Hudson is hereby amended and shall provide as follows:

"The purchase, lease, sale, or other transfer of real property, real property interests, and/or personal property, whether it is tangible or intangible."

Section 3. That Section 220.05(b)(2) of the Codified Ordinances of the City of Hudson is hereby amended and shall provide as follows:

“Property. Council may adjourn into executive session to consider the purchase, lease, sale, or other transfer of real property, real property interests, and/or personal property, whether it is tangible or intangible.”

Section 4. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

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 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 shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 24-71____ was duly passed by the Council of said Municipality on _____, 2024.

Aparna Wheeler, Clerk of Council

EXHIBIT “A”

CHAPTER 214 LEASE, TRANSFER OR DISPOSAL OF REAL PROPERTY OR INTERESTS

214.01 Lease, sale or transfer of municipal property.

The City has special power to lease, sell, or transfer real estate or other real property interests belonging to the municipal corporation, excluding public park lands, when such non-park real estate or interests are not needed for any municipal purpose as determined by ordinance or resolution of City Council. Such power shall be exercised in the manner provided by this chapter.

214.02 Lease or sale of real estate - advertisement for bids.

No contract, except as provided in section 214.03 of the Codified Ordinances of the City of Hudson, for the sale or lease of real estate or other real property interest belonging to the City shall be made unless authorized by an ordinance, approved by a two-thirds vote of the members of City Council, and by the City Manager. When the contract is so authorized, it shall be made in writing by the City Manager or his/her designee, and, only with the highest bidder, after advertisement once a week for five consecutive weeks in a newspaper of general circulation within the City or as otherwise provided by City Council. The City Manager may reject any bids and readvertise until all such real estate is sold or leased.

214.03 Lease, transfer or sale of municipal property without advertisement for bids.

Upon a legislative determination that it is in the best interest of the City, the City Council may authorize the City Manager to lease, sell, or transfer any real property or any real property interest owned by the City upon such terms and conditions and in such manner as are prescribed by the City Council, without competitive bidding as required by section 214.02 of the Codified Ordinances of the City of Hudson.