

## City of Oberlin, Ohio

### ORDINANCE No. 12-46 AC CMS

#### AN ORDINANCE REPEALING CHAPTER 158 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN, OHIO, TO ELIMINATE THE SUSPENDED MINORITY BUSINESS ENTERPRISE PROGRAM THAT IS IN CONFLICT WITH COURT RULINGS AND DECLARING AN EMERGENCY

WHEREAS, in June of 2000 the United States Sixth Circuit Court of Appeals determined that race-based set aside programs for minority-owned business enterprises were unconstitutional and, as a result, on July 1, 2000, the City of Oberlin suspended its Minority Business Enterprise Program; and

WHEREAS, since the Minority Business Enterprise Program was suspended, citizen members of the Minority Business Enterprise Advisory Committee have met to evaluate options to develop a program which could replace the former program; and

WHEREAS, the Minority Business Enterprise Advisory Committee has recently recommended that the "City Council disband the MBE Advisory Committee" and support plans that are underway to develop a collaborative program to support local purchasing from local small business vendors (some of whom would be minority- and/or female-owned).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That Chapter 158 of the Oberlin Codified Ordinances, entitled "Minority Business Enterprise Program", is hereby repealed.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning or 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 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

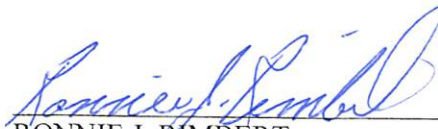
*"to amend the Codified Ordinances as soon as possible in order to bring the Codified Ordinances in to compliance with court rulings and alignment with current municipal practices and to ensure the efficient operation of the municipal government "*

And shall take effect immediately upon passage.

PASSED: 1st Reading – May 21, 2012 (S, E)  
2nd Reading -  
3rd Reading -

ATTEST:

  
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BELINDA B. ANDERSON, CMC  
CLERK OF COUNCIL

  
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RONNIE J. RIMBERT  
PRESIDENT OF COUNCIL

POSTED: 05/22/2012

EFFECTIVE DATE: 05/21/2012