



**STAFF REPORT
TOWN COUNCIL MEETING OF MARCH 10, 2015**

To: Honorable Mayor and Members of the Town Council

From: Rick Angelocci, Town Manager

Subject: First Reading of an ordinance amending Chapter 13.12 to increase the Town Manager's contracting authority for the purchase of supplies and services

Date: March 10, 2015

RECOMMENDATION:

Introduce and read by title only an ordinance amending Chapter 13.12 to increase the authority of the Town Manager to approve contracts for the purchase of supplies and services. Direct staff to bring the ordinance to the Town Council on April 14 for second reading and adoption.

DISCUSSION:

Chapter 13.12 of the Municipal Code establishes the purchasing system for the Town of Loomis. The Town Manager is identified as the Town's "purchasing officer", and charged with overseeing the purchase of supplies, services and equipment for the Town. Chapter 13.12 expressly authorizes the Town Manager, as purchasing officer, to approve certain contracts without Council action so long as the contracting procedures set forth in Chapter 13.12 are followed and, in the case of services, the funds for the work to be performed are identified in the Council-approved budget. The current limit on the Manager's authority is \$5,000 for the purchase of supplies, services and equipment. Contracts in excess of \$5,000 must be approved by the Town Council. These provisions in the Municipal Code were last revised in 1997.

At its February 10, 2015 meeting, the Town Council directed staff and the Town Attorney to survey other jurisdictions and prepare amendments to Chapter 13.12 that are consistent with good governance and reflect current practices in the region. The results of the survey conducted by the Town Attorney are included as **Attachment 1** to this report, which show that regional practices vary widely. Staff believes that increasing the Manager's contracting authority to \$15,000 is in line with other jurisdictions and will improve the Town's ability to efficiently deliver services. By way of example, in 2014 the current \$5,000 limit hampered the Manager's ability to contract for interim planning and building services and necessitated special action by the Town Council while the formal selection process was underway. The amendments proposed preserve the requirement that funds for purchases must be included in the Council-approved budget. **Attachment 2** to this report shows the proposed amendments, redlined against the current text of Chapter 13.12. At this time staff is not recommending a change to the Manager's existing authority to dispose of property.

CEQA :

Not applicable. The proposed actions will not constitute a "project" within the meaning of CEQA.

FINANCIAL IMPLICATIONS:

None at this time.

Attachments:

1: Survey of practices

2: Ordinance with redlining showing proposed changes to Chapter 13.12



916.321.4500

MEMORANDUM

TO: Mayor Morillas and Members of the Town Council
FROM: Jeffrey Mitchell, Town Attorney
DATE: March 2, 2015
RE: Results of Survey of City/Town Manager Purchasing Authority

City/Town	Professional Service Purchase Authority	Supply Purchase Authority
Auburn	\$5,000	\$5,000
Citrus Heights	\$50,000	\$50,000
Colfax	\$5,000	\$5,000
City of Folsom	\$54,059	\$54,059
City of Elk Grove	\$50,000	\$50,000
Lincoln	\$25,000	\$25,000
Rio Vista	\$5,000	\$5,000
Rocklin	\$10,000	\$75,000
Roseville	\$22,000	\$22,000

ATTACHMENT 1

**TOWN OF LOOMIS
ORDINANCE NO. __**

**AN ORDINANCE OF THE TOWN OF LOOMIS AMENDING
CHAPTER 13.12 OF THE MUNICIPAL CODE – PURCHASING SYSTEM**

Section 1: Amendments. Sections 13.12.070 and 080 of Chapter 13.12 of the Town of Loomis Municipal Code are hereby amended as follows:

3.12.070 Open market procedure.

Purchases of supplies and equipment in the amount of fifteen thousand dollars (\$15,000) or less, and the sale of personal property of an estimated value in the amount of five thousand dollars (\$5,000) or less, may be made by the purchasing officer in the open market pursuant to the procedure prescribed in this section and without observing the procedure prescribed in Section 3.12.050 or .060, provided, however, all bidding may be dispensed with when the total estimated value is less than one thousand dollars (\$1,000).

A. Minimum Number of Bids. Open market purchases or sales shall, whenever possible, be based on at least three bids, and shall be awarded to the lowest responsible bidder, if a purchase, or to the highest responsible bidder, if a sale.

B. Solicitation of Bids. The purchasing officer shall solicit bids by written requests to prospective vendors, by telephone and/or by public notices posted on a public bulletin board in the Town Hall.

C. Record Required. The purchasing officer shall keep a record of all open market orders and bids for a period of one year after the submission of bids or the pricing of orders. This record, while so kept, shall be open to public inspection.

3.12.080 Service contracts.

A. The town manager is authorized to make and execute written contracts on behalf of the Town for contractual professional, technical and consulting services to be rendered to the town when: (1) the amount of compensation to be paid to the retained professional, technician or consultant thereunder does not exceed the sum of ~~five~~ fifteen thousand dollars (\$15,000), and (2) funds are provided in the current town budget for the payments of such compensation. ~~All~~ as approved by the town council.

B. Consultant Contracts Special Provision. Consultant contracts that will include public meetings shall include a clause in the notice inviting bids, and in the final contract, detailing how the consultant will provide public outreach and education and encourage public participation in the work that will be done for the town, and identify the cost thereof.

C. Consultant contracts that involve professional services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms shall be awarded on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. Price may be considered when selecting between firms that have first been determined to be competent and qualified.

Section 2: Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of the Ordinance. The Council of the Town of Loomis hereby declare that they would have passed this Ordinance and each article, section, subsection, paragraph, sentence, clause or phrase which is a part thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.

Section 3: Effective Date and Posting. This Ordinance shall take effect thirty (30) days after its adoption. The Town Clerk shall cause this Ordinance to be published in the Loomis News and to be posted at three (3) locations within fifteen (15) days after its passage; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification to be entered in the Book of Ordinances of the Town of Loomis.

The foregoing Ordinance was introduced at a regular meeting of the Council of the Town of Loomis held on March 10, 2015, and was **ADOPTED AND ORDERED** published and posted at a meeting of the Council held on the _____ day of _____, 2015, by the following roll call vote:

AYES:
NOES:
ABSENT:

By: _____
Mayor

ATTEST:

By: _____
Town Clerk