

ORDINANCE NO. 1046 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING PASO ROBLES MUNICIPAL CODE TITLE 6.16 TO
AUTHORIZE CITY MANAGER TO APPROVE AGREEMENTS FOR PROFESSIONAL OR
SPECIALIZED SERVICES OF UP TO \$35,000

RECITALS

WHEREAS, Section 6.04.120 of the Paso Robles Municipal Code (PRMC) identifies as the City Manager as the City's purchasing authority with certain specified powers and duties; and

WHEREAS, Section 6.04.160 requires City Council approval for agreements for professional or specialized services over \$20,000; and

WHEREAS, the Purchasing Procedures attachment to the City's Fiscal Policy requires City Council approval of any purchase order over \$20,000; and

WHEREAS, the current limits have made the award of fairly routine and non-controversial contracts and the approval of purchase orders less efficient as costs have increased since the current limits were adopted; and

WHEREAS, allowing the City Council to establish the limit on the City Manager's purchasing authority by resolution, rather than by ordinance, would allow the City to respond more nimbly to changing circumstances over time; and

Whereas, in the enactment of this ordinance, the City followed the California Environmental Quality Act (CEQA) Guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. Amendment of PRMC Title 6.16 does not constitute a "project" as that term is defined by CEQA.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PASO ROBLES:

SECTION 1. The foregoing recitals are adopted by the City Council as though set forth in full.

SECTION 2. The text of the Paso Robles Municipal Code set forth in existing Title 6 *Purchasing* shall be changed by the deletion of all text shown in strikeout text (~~strikeout text~~) and the addition of all text shown is bold, italic, underscored text (***bold, italic, underscored text***), as follows:

6.04.160 - Authority to hire consultants.

The restrictions and provisions of this chapter shall not apply to contracts involving the acquisition of professional or specialized services such as, but not limited to, those rendered by architects, attorneys, engineers, programmers, economists and other specialized consultants. Selection for such services will be made on the basis of qualifications and approved by the city council whenever the cost of the work to be performed is greater than ~~twenty thousand dollars~~ ***the amount established by the City Council by resolution in the City's Purchasing Procedures.***

SECTION 3. Severability. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses, or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 4. Implementation. The City Manager is directed to perform all necessary City acts to implement this Ordinance.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect 30 days after its passage and adoption, as provided by Government Code section 36397.

SECTION 6. Publication. The City Clerk shall certify to the passage of this Ordinance by the City Council of the City of El Paso de Robles, California, and cause the Ordinance to be published once within 15 days after passage in a newspaper of general circulation published and circulated in the City, in accordance with Government Code section 36933.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PASO ROBLES this 19th day of December, 2017, by the following vote:

AYES: Gregory, Hamon, Strong, Reed, Martin

NOES:

ABSENT:

ABSTAIN:

APPROVED:



Steven W. Martin, Mayor

ATTEST:


Kristen L. Buxkemper, Deputy City Clerk