

PURCHASING AND LICENSING COMMITTEE

09-040-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 8 OF THE CITY CHARTER
ELIMINATING A STATED DOLLAR AMOUNT FOR CERTAIN
CONTRACTS.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 8 of the 1912 Home Rule Charter of the city of Duluth, as amended, is hereby amended, to read as follows:

Section 8. Except as in this Charter otherwise provided, all legislation and appropriations of money shall be by ordinance, save that where obligations have been incurred by ordinance, payment thereof may be ordered by resolution, and save also that licenses may be granted, flow of traffic regulated, and the powers conferred by Chapter IX hereof exercised, by resolution. The council may by ordinance authorize executive and administrative officers of the city to issue licenses and permits, except when statutes require licenses to be granted by the council, and to make contracts which are not subject to the competitive bidding requirements of Section 31 of this Charter ~~and which involve less than \$10,000, pursuant to appropriations made up to an amount as set forth~~ by ordinance. Every ordinance and resolution shall be in writing and read in full at a council meeting before a vote is taken, except (i) every ordinance or resolution, copies of which, together with a brief description of the purpose of said ordinance or resolution, are presented to each member of the council at least 12 hours prior to the time of the introduction of such ordinance or resolution, or (ii) every resolution awarding the sale of bonds, certificates of indebtedness, capital notes, lease purchase agreements, certificates of participation, and installment purchase agreements shall not be required to be read in full at each reading before the council, but

may be read by title and such description. Ordinances and resolutions may be passed upon a voice vote of the council, but if such voice vote is not unanimous, the yeas and nays shall then be called and recorded.

Except for emergency ordinances or emergency resolutions or resolutions awarding the sale of bonds, certificates of indebtedness, capital notes, lease purchase agreements, certificates of participation, and installment purchase agreements, every ordinance and resolution shall be filed with the city clerk at least 24 hours prior to the introduction of the same.

Section 2. That this ordinance shall take effect 90 days after its passage and publication.

Approved:

Department Director

Approved as to form:

Attorney

PURCH/ATTY JMC:blj 7/30/2009

Approved for presentation to council:

Chief Administrative Officer

Approved:

Auditor

STATEMENT OF PURPOSE: Section 8 of the City Charter authorizes executive and administrative officers of the city to make contracts which are not subject to competitive bidding requirements and which involve less than \$10,000 pursuant to appropriations made by ordinance. This ordinance eliminates the stated dollar amount in the Charter and instead authorizes that an amount be set forth by ordinance.

Currently Section 41-32 of the City Code relating to purchasing authorizes the purchasing agent, with approval of the chief administrative officer, to award contracts not subject to the competitive bidding process that involve an expenditure of \$10,000 or less. The proposed Charter amendment would allow the city council to establish by ordinance a limit more reflective of current costs for such services.