

TO: TOWN COUNCIL

FROM: TOWN MANAGER 

RE: PUBLIC HEARING
ORDINANCE AMENDING MUNICIPAL CODE HAVING TO DO WITH
PURCHASING

ISSUE

At the July meeting Council agreed that consultant contracts should include a public education and participation component.

RECOMMENDATION

Hold public hearing and first reading of ordinance as presented or as Council may edit.

CEQA

There are no CEQA issues in crafting purchasing rules and regulations.

MONEY

Money issues would likely arise in increased costs for certain consultant services because meeting costs can easily exceed \$300 per meeting. Add in postage and copying and the costs can run over \$1,000 per meeting depending on the extent of notification. A focused public education and outreach effort can run in excess of \$25,000 if extensive surveys (phone, mail etc) are done.

DISCUSSION

Council Member Scherer asked that the Council consider including a public education and participation component in Town consultant contracts. At the July meeting Council agreed that language in the Town purchasing procedures should be considered to call for a public education and participation component in contracts for consultant services.

The Town has typically used consultants in designing road improvements, buildings, signal lights, planning areas in Town or planning for code and document changes (general plan for instance). The number and structure of meetings are project specific and depend on the amount of money available. Some projects may require more public sessions at different times and possibly different places. Other projects may only need one or two meetings. Whatever number of meeting is desired will likely be based on the time available, requirements of law and money to pay for the added expense. All these issues will no doubt be balanced as and when needed.

Following is an Ordinance revising the Town purchase procedures.

Town of Loomis

ORDINANCE NO. ___

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS
AMENDING SECTION 3.12.060 OF THE MUNICIPAL CODE TO ADD LANGUAGE
REQUIRING A PUBLIC EDUCATION AND PARTICIPATION COMPONENT IN
CONSULTANT CONTRACTS

WHEREAS, the Town Council has determined that it is in the best interest of the Town government to have informed citizens; and

WHEREAS, consultant contracts that the Town may enter into should include a public education and participation component;

NOW, THEREFORE, the Loomis Town Council does ordain as follows:

Section 1. Chapter 13.12.060 of the Loomis Municipal Code in the opening paragraph is hereby amended to read:

FROM: "Except as otherwise provided in this chapter, purchases of supplies and equipment, and the sale of personal property, shall be by written contract with the lowest responsible bidder, if a sale, pursuant to the procedure prescribed in this section."

TO: "Except as otherwise provided in this chapter, purchases of consultant services, supplies and equipment, and the sale of personal property, shall be by written contract with the lowest responsible bidder, if a sale the highest bidder, pursuant to the procedure prescribed in this section."

Section 2. Chapter 13.12.060 of the Loomis Municipal Code hereby amended to add:

Section F. 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 education and encourage public participation in the work that will be done for the Town, and identify the cost thereof.

Section 3. The Town Clerk shall cause this Ordinance to be published as required by law in the Loomis News, a newspaper of general circulation, and posted at three (3) locations within fifteen (15) days of the certification to be entered in the Book of Ordinances of the Town.

The foregoing Ordinance was introduced at a regular meeting of the Council of the Town of Loomis duly held on the 10th day of August, 2010, and was approved and enacted at a duly held regular meeting of the Council held on the _____ day of _____, 2010, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney