

ORDINANCE NO. 801

**AN ORDINANCE OF THE CITY OF PACIFICA REPEALING AND REPLACING
CHAPTER 4, "PURCHASING SYSTEM" OF TITLE 3, "FINANCE," OF THE
PACIFICA MUNICIPAL CODE**

WHEREAS, Government Code sections 54201 et seq. govern purchasing by local governmental bodies and require that every local agency adopt policies and procedures to govern their purchases of supplies and equipment;

WHEREAS, Chapter 4 of Title 3 of the Pacifica Municipal Code (hereafter, "Chapter 3-4") was originally adopted in 1970 to address the purchasing system and was last updated in October 2006 pursuant to Ordinance No. 681-C.S.; and

WHEREAS, the Administrative Purchasing Policy is current with today's purchasing standards set by state law; and

WHEREAS, the Chapter 3-4 is no longer current with the purchasing standards set by state law and is not as comprehensive as the Administrative Purchasing Policy; and

WHEREAS, the City Council, by separate resolution, will adopt the Administrative Purchasing Policy as the policy governing the City's purchasing function; and

WHEREAS, the City Council now desires to repeal Chapter 3-4 and replace it with the Administrative Purchasing Policy.

NOW, THEREFORE, the City Council of the City of Pacifica does ordain as follows:

Section 1. Recitals. The City Council of the City of Pacifica does hereby find that the above referenced recitals are true and correct and material to the adoption of this Ordinance.

Section 2. Repeal and Replacement. Chapter 3-4 of the Pacifica Municipal Code (Purchasing System) is hereby repealed in its entirety and shall be replaced to read as follows:

"CHAPTER 4. PURCHASING SYSTEM"

3-4.01. Purpose. The purpose of this chapter is to establish efficient policies and procedures to govern the purchase of materials, supplies, equipment, vehicles and service and to clearly define authority for the purchasing function.

3-4.02. Purchasing Officer. The City Manager is appointed the purchasing officer of the City. The duties of the purchasing officer may be combined with those of any other City officer or position. The City Manager may delegate his or her duties as purchasing officer to other City staff. The purchasing officer or his or her designated representative shall have the duties prescribed by the City's Administrative Purchasing Policy. The City Manager or his or her designated representative may sign contracts on behalf of the City when authorized by ordinance, resolution, or other action of the City Council.

3-4.03. Applicable Policies. The City's purchasing functions shall be governed by the City's Administrative Purchasing Policy, which shall be adopted by resolution of the City Council, as may be amended from time to time."


Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4: Publication. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance by the City Council of the City of Pacifica, California, and cause the same to be published once in The Pacifica Tribune, a newspaper of general circulation, published and circulated in the City of Pacifica, California.

Section 5: Effective Date. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

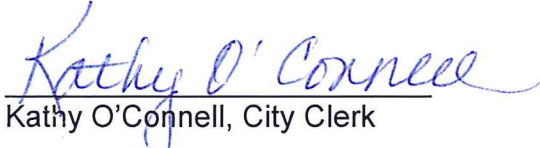
Introduced at a regular City Council meeting held on October 13, 2014. PASSED AND ADOPTED this 27th day of October 2014, by the following vote:

AYES: O'Neill, Stone, Digre, Ervin, Nihart
NOES: None
ABSTAIN: None
ABSENT: None



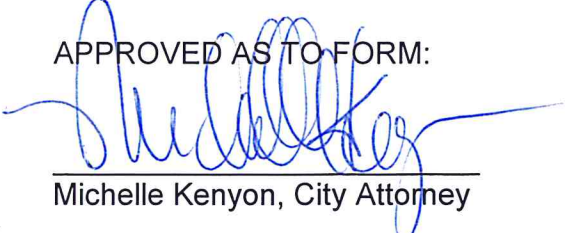
Mary Ann Nihart, Mayor

ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney