

(O-86-87)

ORDINANCE NUMBER O- 16548 (NEW SERIES)

ADOPTED ON DEC 02 1985

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 22.0504 AND 22.0506 RELATING TO THE PURCHASING AGENT.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 2, Division 5, of the San Diego Municipal Code be and the same is hereby amended by amending sections 22.0504 and 22.0506, to read as follows:

SEC. 22.0504 PURCHASE LIMITATIONS

The purchasing Agent shall have the power to purchase materials, supplies, equipment and insurance and, subject to the provisions of the City Charter and section 23.1801 of this Code, to provide for contracts for personal services, as defined in this section, upon direct request by the various departments or offices of the City, without first seeking sealed proposals or Council approval, if said purchase or contract for personal services does not exceed the sum of ten thousand dollars (\$10,000). The Purchasing Agent shall seek competitive prices for all purchases and for all contracts for personal services over five hundred dollars (\$500). For purposes of this section the term "contracts for personal services" excludes contracts for professional or expert services.

The Purchasing Agent is prohibited from subdividing any purchase or contract for personal services which should logically be made as a single transaction requiring the expenditure of more than ten thousand dollars (\$10,000) into two or more purchases or contracts, each involving an expenditure of less than ten thousand dollars (\$10,000), for the purpose of avoiding compliance with the procedure elsewhere in this Code and in the City Charter provided for the making of purchases or contracts for personal services where the expenditure involved exceeds the sum of ten thousand dollars (\$10,000).

The Purchasing Agent shall not purchase materials, supplies, equipment and insurance, nor enter into contracts for personal services requested by various departments or offices of the City, where said purchase or contract exceeds the sum of ten thousand dollars (\$10,000) without having first advertised for sealed proposals.

If the cost of any purchase or any contract for personal services required by the City is in excess of twenty-five thousand dollars (\$25,000), said purchase or contract for personal services may be made by the Purchasing Agent only after said Purchasing Agent has advertised for sealed proposals and has obtained Council approval to award the contract.

Within the same dollar amounts as are set forth herein, the Purchasing Agent is authorized to participate in joint and cooperative purchasing and to participate in joint and

cooperative contracts for personal services with the State of California, County of San Diego, school districts, water districts, and such other agencies as the Council may by resolution direct, so long as purchases above ten thousand dollars (\$10,000) are made through a competitive bidding process.

SEC. 22.0506 OBSOLETE OR DEPRECIATED PROPERTY - SELLING,  
DISPOSING

Whenever the head of any department or office shall give notice in writing to the Purchasing Agent that certain personal property of the City is so used, obsolete, depreciated, or surplus to current and projected needs as to be unfit or undesirable for use or retention by the City, the Purchasing Agent shall, if the personal property described in the notice has an actual value less than two thousand dollars (\$2,000), have power, without advertising for bids, to sell or exchange it for other property, or otherwise dispose of it to the best advantage of the City after providing proper competition for such sale when feasible. "Exchange" as used in this section shall include transactions where used, obsolete, depreciated, or surplus property of the City is transferred as a partial consideration for the transfer to the City of other property, and when any such personal property has been disposed of, the amount received therefor, either in cash or as a credit, shall be credited to the department or office of the City which requested its disposal, only if the trade-in or sale of such trade-in

article or article sold has been contemplated in the current annual budget; otherwise receipts or credits from such trade-ins or sales will be deposited in the General Fund.

Whenever the personal property described in the notice referred to in the preceding paragraph shall have an actual value of two thousand dollars (\$2,000) or more, the Purchasing Agent shall apply to the City Manager for authority to dispose of it, and the Purchasing Agent shall be authorized to sell or otherwise dispose of the property, as provided in the preceding paragraph, only when the City Manager so directs.

The Purchasing Agent shall, within five (5) days after selling or otherwise disposing of personal property pursuant to the terms of this section, report in writing to the City Manager when the proceeds of such sale are more than two thousand dollars (\$2,000). The City Manager shall report annually in writing to the Council the result of any sales, exchanges or other disposal of personal property pursuant to this section when the proceeds of such sale exceed five thousand dollar (\$5,000). The report to the Council shall describe the property disposed of and state the consideration received by the City for such property.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By

  
Rudolf Bradecky  
Deputy City Attorney

RH:mem  
11/7/85  
Or. Dept: Pur.  
0-86-87  
Form=0.code

STRIKEOUT ORDINANCE

NEW LANGUAGE - Underlined  
OLD LANGUAGE - Strikeout

SEC. 22.0504 PURCHASE LIMITATIONS

The purchasing Agent shall have the power to purchase materials, supplies, equipment and insurance and, subject to the provisions of the City Charter and section 23.1801 of this Code, to provide for contracts for personal services, as defined in this section, upon direct request by the various departments or offices of the City, without first seeking sealed proposals or Council approval, if said purchase or contract for personal services does not exceed the sum of ~~five ten~~ ten thousand dollars ~~(\$5,000)~~ (\$10,000). The Purchasing Agent shall seek competitive prices for all purchases and for all contracts for personal services over five hundred dollars (\$500). For purposes of this section the term "contracts for personal services" excludes contracts for professional or expert services.

The Purchasing Agent is prohibited from subdividing any purchase or contract for personal services which should logically be made as a single transaction requiring the expenditure of more than ~~five ten~~ ten thousand dollars ~~(\$5,000)~~ (\$10,000) into two or more purchases or contracts, each involving an expenditure of less than ~~five ten~~ ten thousand dollars ~~(\$5,000)~~ (\$10,000), for the purpose of avoiding compliance with the procedure elsewhere in this Code and in the City Charter provided for the making of

purchases or contracts for personal services where the expenditure involved exceeds the sum of ~~five~~ ten thousand dollars ~~+5,000+~~ (\$10,000).

The Purchasing Agent shall not purchase materials, supplies, equipment and insurance, nor enter into contracts for personal services requested by various departments or offices of the City, where said purchase or contract exceeds the sum of ~~five~~ ten thousand dollars ~~+5,000+~~ (\$10,000) without having first advertised for sealed proposals.

If the cost of any purchase or any contract for personal services required by the City is in excess of ~~ten~~ twenty-five thousand dollars ~~+\$10,000+~~ (\$25,000), said purchase or contract for personal services may be made by the Purchasing Agent only after said Purchasing Agent has advertised for sealed proposals and has obtained Council approval to award the contract.

Within the same dollar amounts as are set forth herein, the Purchasing Agent is authorized to participate in joint and cooperative purchasing and to participate in joint and cooperative contracts for personal services with the State of California, County of San Diego, ~~the San Diego Unified School~~ districts, water districts, and such other agencies as the Council may by resolution direct, so long as purchases above ~~five~~ ten thousand dollars ~~+\$5,000+~~ (\$10,000) are made through a competitive bidding process.

SEC. 22.0506 OBSOLETE OR DEPRECIATED PROPERTY - SELLING,  
DISPOSING

Whenever the head of any department or office shall give notice in writing to the Purchasing Agent that certain personal property of the City is so used, obsolete, ~~or depreciated,~~ or surplus to current and projected needs as to be unfit or undesirable for use or retention by the City, the Purchasing Agent shall, if the personal property described in the notice has an actual value less than ~~one two thousand dollars~~ ~~(\$1,000)~~ (\$2,000), have power, without advertising for bids, to sell or exchange it for other property, or otherwise dispose of it to the best advantage of the City after providing proper competition for such sale when feasible. "Exchange" as used in this section shall include transactions where used, ~~or obsolete,~~ depreciated, or surplus property of the City is transferred as a partial consideration for the transfer to the City of other property, and when any such personal property has been disposed of, the amount received therefor, either in cash or as a credit, shall be credited to the department or office of the City which requested its disposal, only if the trade-in or sale of such trade-in article or article sold has been contemplated in the current annual budget; otherwise receipts or credits from such trade-ins or sales will be deposited in the General Fund.

Whenever the personal property described in the notice referred to in the preceding paragraph shall have an actual value of one two thousand dollars ~~(\$1,000)~~ (\$2,000) or more, but less than five thousand dollar ~~(\$5,000)~~ the Purchasing Agent shall



apply to the City Manager for authority to dispose of it, and the Purchasing Agent shall be authorized to sell or otherwise dispose of the property, as provided in the preceding paragraph, only when the City Manager so directs. Whenever the personal property described in the notice referred to in the preceding paragraph shall have an actual value of five thousand dollar ~~(\$5,000)~~ or more, the Purchasing Agent shall apply to the Council for authority to dispose of it, and the Purchasing Agent shall be authorized to sell or otherwise dispose of the property as provided in the preceding paragraph only when the Council so directs.

The Purchasing Agent shall, within five (5) days after selling or otherwise disposing of personal property pursuant to the terms of this section, report in writing to the City Manager when the proceeds of such sale are more than one two thousand dollars ~~(\$1,000)~~ (\$2,000). but less than five thousand dollars ~~(\$5,000)~~, and The City Manager shall report annually in writing to the Council the result of such any sales, exchanges or other disposal describing of personal property pursuant to this section when the proceeds of such sale exceed five thousand dollar (\$5,000). The report to the Council shall describe the property disposed of and stating state the consideration received by the City for such property. when the proceeds of sale exceed five thousand dollar ~~(\$5,000)~~.

DEC 02 1985

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfshelmer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Strickman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Manfred L. Portenow, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 18 1985

DEC 02 1985

and on \_\_\_\_\_

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Manfred L. Portenow, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16548 Adopted \_\_\_\_\_

DEC 02 1985

CERTIFICATE OF PUBLICATION

THE CITY OF SAN DIEGO  
OFFICE OF THE CITY CLERK  
202 "C" STREET  
12TH FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,  
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE

**ORDINANCE NUMBER O-1654 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 22.0504 AND 22.0505 RELATING TO THE PURCHASING AGENT.  
This ordinance increases the monetary limit for the Purchasing Agent to make purchases without advertising for sealed bids from \$10,000 to \$10,000 and increase the monetary limit for the Purchasing Agent to make purchases without Council approval from \$10,000 to \$20,000. It also authorizes the Purchasing Agent, subject to the provisions of the City Charter and section 23.1801 of the Municipal Code, to provide for contracts for personal services, which are defined in the ordinance to exclude contracts for professional or expert services. Restrictions limiting the Purchasing Agent's authority to purchase materials also limit his authority to provide for contracts for personal services. It also permits the Purchasing Agent to sell or dispose of obsolete or surplus City personal property valued at less than \$2,000 without advertising for bids. It also permits the Purchasing Agent to sell or dispose of obsolete or surplus property valued at \$2,000 or more upon the approval of the City Manager. The City Manager is required to report annually in writing to the Council the result of any sale of obsolete or surplus property when the proceeds of any sale exceed \$5,000. Municipal Code section 22.0504 is amended to include water districts and all school districts among the public agencies with whom the City may participate in joint purchasing.  
Introduced on NOVEMBER 18, 1985. Passed and adopted by the Council of The City of San Diego on DECEMBER 2, 1985.  
AUTHENTICATED BY:  
ROGER HEDGECOCK  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.  
By MAYDELL L. PONTICORVO, Deputy.  
Nov 18, 1985

I, Gerald F. Blair, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16584 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

December 16, 1985

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 16th day of Dec., 19 85.

Gerald F. Blair  
(Signature)

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