

**ORDINANCE NO. 1227**

***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
PERRIS AMENDING MUNICIPAL CODE CHAPTER 3.32  
RELATED TO THE PURCHASING AND DISPOSAL OF  
EQUIPMENT AND SUPPLIES***

**WHEREAS**, pursuant to Sections 54202 and 54203 of the California Government Code, the City Council of the City of Perris ("City Council") has adopted regulations pertaining to the purchases of supplies and equipment; and; and

**WHEREAS**, Perris Municipal Code Chapter 3.32, among other items, sets forth procedures related to the purchasing of supplies and equipment and disposal of surplus supplies and equipment; and;

**WHEREAS**, the City Council through its adoption of ordinances, resolutions and Chapter 3.32 of the Municipal Code has established regulations governing the purchasing and disposing of supplies and equipment; and

**WHEREAS**, the City Council desires to revise certain of said regulations to permit the purchasing of supplies and equipment at auctions and to increase certain of the dollar limitations in Chapter 3.32 which have not been updated for over fifteen years; and

**WHEREAS**, the City Council desires, pursuant to Government Code Section 37350, to permit the City to dispose of surplus supplies and equipment for the common benefit without the requirement of a bidding procedure; and

**WHEREAS**, said changes will enable the City to carry out its purchasing powers in a more efficient and cost-effective manner; and

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

**Section 1.** Recitals Incorporated. The foregoing recitals are true and correct and incorporated herein by reference.

**Section 2.** Amendments to Chapter 3.32, Section 3.32.050 of the Perris Municipal Code. Section 3.32.050 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

**"3.32.050 Exemptions.** The following items are exempt from the provisions of this Chapter to the extent described herein:

A. The purchasing officer, with approval of the city council, may authorize in writing any agency or department to purchase or contract for specified supplies, services and equipment independently of the purchasing department, but shall require that such purchases be made in conformity with the procedures

established by this chapter and shall further require periodic reports from the agency or department on the purchases and contracts made under such written authorization.

B. The city manager or city manager's designee, with the written authorization and direction of the city manager, may bid at a public or private auction for supplies and equipment to the extent such purchases are in the best interest of the City. The authorization herein shall be limited to a maximum of One Hundred Thousand Dollars (\$100,000). The city manager shall establish such policies and procedures as may be necessary to accomplish efficient, cost effective and quality purchases for the City at auction."

**Section 3.** Amendments to Chapter 3.32, Section 3.32.120 of the Perris Municipal Code. Section 3.32.120 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

**"3.32.120 Surplus supplies and equipment.**

All using agencies or departments shall submit to the purchasing officer, at such times and in such forms as he shall prescribe, reports showing all supplies and equipment no longer used or which have become obsolete or worn out. The purchasing officer shall have authority to sell all supplies and equipment which cannot be used by any agency or department or which have become unsuitable for city use or to exchange the same or to trade in the same on new supplies and equipment. The purchasing officer shall sell, dispose of, exchange or trade-in the personal property described under this Section for the common benefit. The City manager shall establish such policies and procedures as may be necessary to accomplish the sale, disposal exchange or trade-in of such property for the common benefit."

**Section 4.** Amendments to Chapter 3.32, Section 3.32.330 of the Perris Municipal Code. The first sentence of Section 3.32.330 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

**"3.32.330 Informal bid procedures--Supplies, equipment, and contractual services.** Purchases of supplies, equipment and contractual services of an estimated value of five thousand dollars or more, and less than thirty thousand dollars, shall be made by informal bid procedures as described herein."

**Section 5.** Amendments to Chapter 3.32, Section 3.32.340 of the Perris Municipal Code. The first sentence of Section 3.32.340 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

**"3.32.340 Formal bid procedures--Supplies, equipment, and contractual services.** Purchases and contracts for supplies, services and equipment of estimated value greater than thirty thousand dollars shall be let by the formal procedures set forth herein."

**Section 6.** Amendments to Chapter 3.32, Section 3.32.350 of the Perris Municipal Code. Section 3.32.350 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth on Exhibit A attached hereto and by this reference incorporated herein.

**"3.32.350 Exceptions--Supplies, equipment, and contractual services.** The bid procedures set forth in Sections 3.32.330 and 3.32.340 need not be followed in situations determined by the purchasing officer to constitute an emergency or when the commodity or service is proprietary, or for the contracting of professional services (e.g., attorneys, architects, or engineers), or for the contracting for trash and garbage service, or for public relations services, or for services connected with elections, or for other similar commodities and services as determined by the purchasing officer or to the extent said purchase is exempt under Section 3.32.050."

**Section 7.** Limited Amendments. All other provisions of Chapter 3.32 of the Perris Municipal Code shall remain in full force and effect.

**Section 8.** Severability. If any section, subsection, subdivision, sentence, clause phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

**Section 9.** Certification The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

**ADOPTED, SIGNED and APPROVED** this 13<sup>th</sup> day of November, 2007.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF LAWNSDALE )

I, Judy Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance No. 1227, introduced at a regular meeting of the City Council of the City of Perris held on the 30<sup>th</sup> day of October, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13<sup>th</sup> day of November, 2007, by the following called vote:

AYES: LANDERS, MOTTE, ROGERS, YARBROUGH, BUSCH  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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City Clerk, Judy L. Haughney