

## MEMORANDUM

TO: Mayor and City Council

FROM: Richard Meyers, City Manager

SUBJECT: AN ORDINANCE ALLOWING FOR ADOPTION OF PUBLIC CONTRACTING RULES BY RESOLUTION; AND REPEALING COTTAGE GROVE MUNICIPAL CODE 2.12, CONTRACT REVIEW BOARD.

DATE: May 18, 2016

### Background

At the April 25, 2016 City Council meeting the Council received a copy of the attached Ordinance which was prepared to repeal Chapter 2.12 of the Municipal Code and allow for the adoption of Public Contracting Rules by resolution.

The Oregon Attorney General recently released new Model Public Contracting Rules and since the last amendments to the City's Public Contracting Rules in 2005 there have been changes to the State laws regarding Public Contracting or purchasing. The existing City Public Contracting Rules are out of date.

The City Council and the Local Contract Review Board will be holding a Public Hearing considering a joint resolution to adopt new Public Contracting Rules. The attached Ordinance repeals the existing Public Contracting and allows the adoption of the rules by resolution. Adopting the rules by resolution will allow for the rules to be amended easier as State Laws or the Model Rules change.

The attached ordinance has been available since the April 25<sup>th</sup> City Council meeting. If the City Council votes unanimously to adopt the Ordinance it will be adopted with one vote and be effective in 30 days. Upon the effective date of the Ordinance the Public Contracting Rules adopted by Resolution of the City Council and Local Contracting Review Board will go into effect.

### Recommendation

That the City Council hold the first vote on the attached Ordinance allowing for adoption of public contracting rules by resolution and repealing Chapter 2.12, Contract Review Board, of the Municipal Code. The Ordinance was prepared and has been available for at least one week prior to this meeting. This Ordinance could be adopted at one meeting.

### Cost

No cost for the City.



Richard Meyers, City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ALLOWING FOR ADOPTION OF PUBLIC CONTRACTING RULES BY RESOLUTION; AND REPEALING COTTAGE GROVE MUNICIPAL CODE 2.12

The City of Cottage Grove finds:

WHEREAS, in 2005 the City designated the City Council as the City's Local Contract Review Board and adopted public contracting rules for the City of Cottage Grove; and

WHEREAS, ORS 279A.065(5)(b) requires the City to review its adopted rules each time the Attorney General modifies its Model Rules to determine whether the City should modify its rules to ensure compliance with statutory changes; and

WHEREAS, the legislature has modified the Oregon Public Contracting Code and the Attorney General has modified its rules, accordingly; and

WHEREAS, pursuant to its Charter authority under Section 4 and ORS 279A.065(6), the City Council has determined to adopt public contracting rules by resolution to facilitate future updates.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Cottage Grove Municipal Code Chapter 2.12, Contract Review Board, and any other previously adopted ordinances, resolutions and enactments establishing public contracting rules for the City of Cottage Grove are hereby repealed.

Section 2. Public contracting rules, including City staff purchasing and contracting authority, for the City of Cottage Grove will hereafter be adopted by resolution.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
Thomas C. Munroe, Mayor

Dated: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Richard Meyers, City Manager

Dated: \_\_\_\_\_