



Legislation Text

File #: 2023-0672, Version: 1

Report to Mayor and City Council

Tuesday, December 05, 2023

Discussion

SUBJECT:

INTRODUCTION AND FIRST READING OF ORDINANCE NO. 23-2309 AMENDING VARIOUS SECTIONS OF CHAPTER 6 (PURCHASING SYSTEM) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE (CITY COUNCIL)

I. SUMMARY

On September 20, 2022 (Item No. 18), Council approved a Professional Services Contract with Macias Gini & O'Connell (MGO), a nationwide certified public accounting (CPA) and advisory firm, to carry out a comprehensive performance audit of the Citywide procurement and contracts process for City's procurement of materials, supplies, equipment, services and professional services. Staff seeks City Council consideration of a presentation of recommendations and findings from MGO, the City Attorney's Office, and City Staff.

Furthermore, Staff introduces to the City Council, for approval and for first reading, Ordinance No. 23-2309, amending various sections of the City's Purchasing Ordinance codified in Sections 2600 et seq. of the Carson Municipal Code, to update the City's regulations, increase the City's purchasing thresholds for the purpose of considering bidding requirements, contracting requirements, or approval requirements.

II. RECOMMENDATION

TAKE the following actions:

INTRODUCE for first reading "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CHAPTER 6 (PURCHASING SYSTEM) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE AS A COMPREHENSIVE UPDATE"

III. ALTERNATIVES

TAKE another action as deemed appropriate by the City Council, consistent with the requirements of the law.

IV. BACKGROUND

The City of Carson ("City") became a charter city as of November 6, 2018. All charter cities have the right to adopt and enforce ordinances, regulations and laws regarding municipal affairs, subject only to conflicting provisions in the federal and state Constitutions and to preemptive state law (California Constitution, Article XI, Section 5; *Domar Elec. Inc. v. City of Los Angeles*, 9 Cal.4th 161 (1994)).

The proposed changes to amend Chapter 6 of Article II of the CMC reflect the findings which were identified throughout the comprehensive performance audit carried out by MGO, legal input and clarification from the City Attorney's Office, and thorough consideration of best purchasing practice. The rules outlined within the Purchasing Ordinance are designed to provide transparency, fairness, and equity to the City's purchasing practice.

This amendment captures updates to various provisions, including increasing the City Manager's purchasing authority to \$75,000, increasing the formal bidding threshold to \$75,000, removing maintenance from Section 2612 of the Municipal Code resulting in removal of maintenance from being under the purview of the Uniform Public Construction Cost Accounting Act (UPCCAA) under Public Contract Code Section 22000 et seq., adding public works piggybacking procedures, increasing the local preference credit to 10 percent, and generally providing more detailed guidance for City purchases.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Ordinance No. 23-2309 (pgs. 3-32)
2. PowerPoint Presentation - MGO (pgs. 33-43)

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