

**ORDINANCE NO. 07- \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF CALIFORNIA CITY AMENDING  
THE CALIFORNIA CITY MUNICIPAL CODE  
AS IT RELATES TO THE PROCESS FOR MAKING EXPENDITURES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY** as follows:

**1. Purpose.**

This ordinance amends the Municipal Code by clarifying the process for making expenditures.

**2. Amendment.**

Section 3-1.103 of the California City Municipal Code is amended and reenacted to read as follows:

**"Sec. 3-1.103. Implementation of Budget**

The City Manager shall implement the approved budget. Expenditures shall be made in accordance with the approved budget and purchasing procedures set forth in this Code. No expenditure shall be made unless the budget appropriates money for the expenditure. Every recommendation for expenditure shall be accompanied by a reference to a budget appropriation."

**3. Amendment.**

Section 3-3.1.104 of the California City Municipal Code is amended and reenacted to read as follows:

**"Sec. 3-3.1.104. Appropriation of Funds**

Except in cases of emergency, the Purchasing Officer shall not issue any purchase order for supplies, services, or equipment unless there exists an unencumbered appropriation against which such purchase is to be charged. The Purchasing Officer may issue a purchase order for supplies, services or equipment in the absence of an unencumbered appropriation against which to charge the purchase if necessary to deal with an emergency and prior council approval of an emergency appropriation is not feasible. In such event, the Purchasing Officer shall report on the expenditure at the next regular council meeting, at which time the council will consider approving an appropriation to cover the expenditure."

**4. Amendment.**

Section 3-3.1.202 of the California City Municipal Code is amended and reenacted to read as follows:

**"Sec. 3-3.1.202. Definitions**

The following terms are defined for the purposes of this chapter, unless otherwise apparent from context:

(a) "Emergency" means public calamity, as an extraordinary fire, flood, storm, epidemic or other disaster threatening the life or property of the City or the community.

(b) "Formal bidding" refers to the practice by which the Purchasing Officer solicits proposals from the public at large pursuant to detailed written specifications and written invitations to bid.

(c) "Informal bidding" refers to the process by which the Purchasing Officer solicits proposals from selected vendors pursuant to purchase order or brief written specifications."

**5. Amendment.**

Section 3-3.1.202A is added to the California City Municipal Code to read as follows:

**"Sec. 3-3.1.202A. No Bidding**

Goods or services estimated to cost less than \$5,000 may be purchased without informal or formal bidding, provided the council has appropriated money for such expenditure. The Purchasing Officer shall provide quarterly reports on the status of such purchases."

**6. Amendment.**

Section 3-3.1.203 of the California City Municipal Code is amended and reenacted to read as follows:

**"Sec. 3-3.1.203. Informal Bidding**

(a) Goods or services estimated to cost between \$5,000.00 and \$15,000.00 may be purchased pursuant to informal bidding.

(b) The Purchasing Officer may execute purchasing orders or agreements for which informal bids are solicited if the price is less than or equal to the amount appropriated by the Council.

(c) The Council shall approve the execution of purchase orders or agreement if the low bid exceeds the amount appropriated by the Council. Council approval is not required for expenditures for goods or services costing less than \$15,000 if the council has appropriated money for such purpose as reflected in the approved budget, provided, the Purchasing Officer shall provide a report to the council on such expenditures identifying the budget appropriation and debiting the budget appropriation."

**7. Amendment.**

Section 3-3.203 of the California City Municipal Code is amended and reenacted to read as follows:

**"Sec. 3-3.203. Claims**

(a) A claim by a vendor shall be presented by the City Clerk to the department head who authorized the claim for written approval. The claim shall then be presented to the City Clerk for certification as to the accuracy of the claim and the availability of funds for payment. The Council shall audit such claims before authorizing payment.

(b) A claim not filed by a vendor under contract with the City shall be presented by the City Clerk to the City Manager who shall consult with the City Attorney concerning the disposition of the claim. The City Attorney shall prepare a written report on claims for more than \$5,000. Claims shall be presented to the City Council for action within 45 days of filing.

(c) The City Manager may compromise claims for not more than \$5,000.00. The City Manager shall provide the City Council with a quarterly report on compromised claims under this subsection.

**8. Amendment.**

Section 3-3-.205 is added to the California City Municipal Code to read as follows:

**"Sec. 3-3.205. Issuance of Checks**

(a) No checks shall be issued by any officer or employee of the City except in accordance with this Section.

(b) The City Treasurer may draw checks for: payroll, utility fees and charges, petty cash replenishment, SDI improvement reconveyance fees, aircraft fuel delivered to the municipal airport on a COD basis, and emergencies (herein collectively "pre-issue authority"), with or without council approval as necessary to pay for such item in a timely manner if the Finance Director has certified the checks are for valid indebtedness and money is available in the City Treasury to pay the amount represented by these checks. The Mayor or other person designated by the council by resolution shall sign checks presented by the Treasurer.

(c) The City Treasurer shall draw checks for matters other than those covered by pre-issue authority only after the council has approved the expenditure. The council shall approve such expenditures only if the Finance Director has certified the indebtedness is valid and subsisting, and money is available to pay the amounts represented by the checks. The Mayor or other person designated by the council by resolution shall sign such checks after approval by the council.

(d) The City Treasurer shall disburse properly approved checks to the creditor after approval and signature as set forth in this Section."

**3. Other.**

Except as provided herein, the California City Municipal Code is reaffirmed and readopted.

**PASSED, APPROVED AND ADOPTED** on \_\_\_\_\_, 2007, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)