

**ORDINANCE NO. 2007-01**

**AN ORDINANCE OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT, AMENDING CHAPTER 4 OF THE DISTRICT CODE, RELATING TO PURCHASING AND BIDDING PROCEDURES**

**BE IT ORDAINED** by the Board of Directors of the Rancho Murieta Community Services District, Rancho Murieta, Sacramento County, California, as follows:

SECTION ONE

DIVISION III:

Purchasing and Bidding Procedures, Chapter 4, Division III, Authorized Powers and Duties is amended, in part, as follows:

Section 3.01 Powers and Duties of General Manager.

The General Manager shall, under the direction of the Board of Directors and subject to the provisions of this Chapter and applicable provisions of the State law:

- (a) Purchase all supplies, materials, equipment, contractual and personal services required by the District in amounts or estimated amounts of ten thousand dollars (\$10,000) or less:
- (b) Submit to the Board for award, and therefore execute together with the President, contracts for all purchases of supplies, materials, equipment, contractual and personal services in amount or estimated amounts over ten thousand dollars (\$10,000).

DIVISION IV:

Purchasing and Bidding Procedures, Chapter 4, Division IV, Emergency Purchases is amended, in part, as follows:

Section 4.04 Existence of Emergency

On every emergency purchase made which exceeds ten thousand dollars (\$10,000), the General Manager shall promptly report to the Board of Directors the amount of the purchase and the circumstances constituting the emergency. If possible, the General Manager shall obtain the prior approval of the Board of Directors for an emergency purchase exceeding ten thousand dollars (\$10,000).

## DIVISION V:

Purchasing and Bidding Procedures, Chapter 4, Division V, Competitive Bidding is amended, in part, as follows:

### Section 5.01 Purchase of Contractual Services or Commodities or Sale of Personal Property Not Exceeding \$10,000

If the amount of the expenditure for a contractual service or for a commodity or for a sale of personal property which has been found by the Board of Directors not to be required for public use, does not exceed \$10,000, competitive bids may be solicited by public notice.

### Section 5.02 Purchase of Contractual Services or Commodities or Sale of Personal Property over \$10,000

If the amount of the expenditure for a contractual service or for a commodity, or for a sale of personal property which has been found by the Board of Directors not be required for public use, is estimated to exceed ten thousand dollars (\$10,000), competitive notice and written contracts shall be awarded.

## DIVISION VI:

Purchasing and Bidding Procedures, Chapter 4, Division VI, Awarding Contracts is amended, in part, as follows:

### Section 6.03 Award of Contracts for Sale

Contracts for sales of personal property which exceed ten thousand dollars (\$10,000) shall be awarded in accordance with Division V to the highest responsible bidder.

## DIVISION VII:

Purchasing and Bidding Procedures, Chapter 4, Division VII, Selection of Consultants and Contracts for Personal Services is amended, in part, as follows:

### Section 7.06 Contract for Personal Services

When all professional matters and the charges therefore, have been agreed upon, a contract shall be drafted embodying the scope of the assignment and all terms, conditions, and charges. The contract shall be presented to the Board of Directors for final approval, provided, however, that services in amounts or estimated amounts of ten thousand dollars (\$10,000) or less, shall be governed by Section 8.01 of this Chapter.

## DIVISION VIII:

Purchasing and Bidding Procedures, Chapter 4, Division VIII, Open Market Purchases and Sales, is amended, in part, as follows:

### Section 8.01 Expenditures of \$10,000 or Less

If the amount of expenditures for commodities or contractual or personal services is estimated to be less than ten thousand dollars (\$10,000), it shall be an open market transaction or force account work and not subject to Division V and Division VI of this Chapter. However, all such open market transactions should, wherever practicable, be based on market competition.

### Section 8.02 Sale of Personal Property for \$10,000 or Less

If the amount of a sale of personal property which has been found by the Board of Directors not to be required for public use is less than ten thousand (\$10,000), it shall be an open market transaction and shall not be subject to the requirement of Division V and Division VI of this Chapter. A minimum selling price for surplus properties may be determined by resolution of the Board of Directors at the time the item is declared surplus to the needs of the District.

## DIVISION X:

Purchasing and Bidding Procedures, Chapter 4, Division X, Unlawful Purchases, is amended, in part, as follows:

### Section 10.02 Splitting of Transaction Unlawful

It shall be unlawful to split requirements for supplies, materials, equipment and contractual services into amounts or estimated amounts of less than ten thousand dollars (\$10,000) in order to avoid the provisions of Division V and Division VI of this Chapter.

## SECTION TWO

To the extent the terms and conditions of this Ordinance may be inconsistent or in conflict with the terms and provisions of any prior District ordinances, resolutions, rules, or regulations the terms of this Ordinance shall prevail with respect to the terms and provisions thereof, and such inconsistent or conflicting terms and provisions of prior ordinances, resolutions, rules, and regulations are hereby repealed.

## SECTION THREE

This Ordinance shall be in full force and effect thirty (30) days after adoption and shall be published not less than once in a newspaper of general circulation published in the District within ten (10) days after adoption.

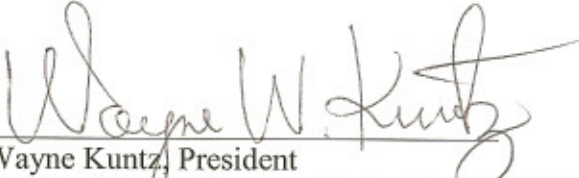
**PASSED AND ADOPTED** by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting held on February 21, 2007, by the following roll call vote:

**AYES:** *Kuntz, Taylor, Belton, Kjome, White*

**NOES:** *None*

**ABSENT:** *None*

**ABSTAIN:** *None*

  
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Wayne Kuntz, President  
Rancho Murieta Community Services District

[seal]

**ATTEST:**

  
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Edward R. Crouse, District Secretary