

TOWN OF SAN ANSELMO

ORDINANCE NO. 1057

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING SECTIONS 2-10.02
and 2-10.04 OF THE TOWN OF SAN ANSELMO MUNICIPAL CODE**

**THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS
FOLLOWS:**

SECTION 1. Findings.

- A. The Town of San Anselmo is subject to the uniform construction cost accounting procedures set forth in Article 2, Section 22010 et seq. of the Public Contract Code. The uniform construction cost accounting procedures identify, in Section 22032 of the Public Contract Code, different dollar amount limits for different methods of securing contracts. Section 22032 of the Public Contract Code has recently been amended by the State Legislature and these amendments should be reflected in the Town of San Anselmo Municipal Code.
- B. The Town of San Anselmo Municipal Code currently identifies the "Town Administrator" as the official responsible for maintaining a list of qualified contractors identified according to categories of work. The Town of San Anselmo Municipal Code should be updated as the Town Administrator is no longer a position within the Town of San Anselmo and the most qualified official for maintaining the contractor list is the Public Works Director.
- C. The Town Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations, Title 14, § 15061(b)(3).

SECTION 2. Amendment.

A. Section 2-10.02 of the Town of San Anselmo Municipal Code is hereby amended to read as follows:

- (a) Public projects of ~~Twenty five Thousand and no/100ths (\$25,000.00)~~ Thirty Thousand and no/100ths (\$30,000.00) Dollars or less may be performed by the employees of the Town by force account, by negotiated contract or by purchase order.
- (b) Public projects of ~~Seventy five Thousand and no/100ths (\$75,000.00)~~ One Hundred and Twenty-Five Thousand and no/100ths (\$125,000.00) Dollars or less may be let to contract by informal procedures as set forth in this chapter.

(c) Public projects of more than ~~Seventy-five Thousand and no/100ths (\$75,000.00)~~ One Hundred and Twenty-Five Thousand and no/100ths (\$125,000.00) Dollars shall, except as otherwise provided in the Uniform Public Construction Cost Accounting act, be let to contract by formal bidding procedures.

B. Section 2-10.04 of the Town of San Anselmo Municipal Code is hereby amended to read as follows:

The ~~Town Administrator~~ Public Works Director shall maintain a list of qualified contractors identified according to categories of work. Such list shall be developed and maintained in accordance with the criteria determined by the California Uniform Construction Cost Accounting Commission.

SECTION 3. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provision of this ordinance are declared to be severable.

SECTION 4. Effective Date.

This Ordinance shall take effect and be in force thirty (30) days after the date of its passage. Within fifteen (15) days following its passage, a summary of the ordinance shall be published with the names of those city council members voting for and against the ordinance and the city clerk shall post in the office of the city clerk a certified copy of the full text of the adopted ordinance along with the names of the members voting for and against the ordinance.

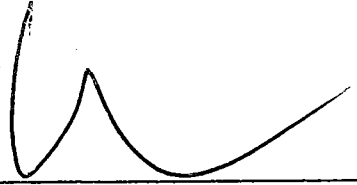
INTRODUCED AT A PUBLIC HEARING on Aug. 14, '07 and adopted at a regular meeting of the Town Council of the Town of San Anselmo on Aug. 28, '07 by the following vote:

- AYES:** Breen, Cooper, Freeman, House, Thornton
NOES: (none)
ABSENT: (none)

RECUSED: (none)

ABSTAIN: (none)

APPROVED:

A handwritten signature in black ink, appearing to be 'Wayne Cooper', written over a horizontal line.

Wayne Cooper, Mayor

ATTEST:

Debra Stutsman, Deputy Town Clerk
Debra Stutsman, Deputy Town Clerk