



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Lincoln Bogard, Administrative Services Director

MEETING DATE: May 14, 2024

SUBJECT: Introduction and First Reading of Ordinance 1604, Repealing and Replacing Section 010 through 170 of Chapter 3.24 of the Banning Municipal Code with Section 010 through 150 to adopt City Purchasing Policy vis Resolution as defined in the Purchasing System Ordinance Chapter

RECOMMENDATION:

A motion waiving full reading and introducing, as read by title only, Ordinance 1604.

BACKGROUND:

- Generally, an ordinance is a local law of a municipal corporation, duly enacted by the proper authorities, prescribing general, uniform, and permanent rules of conduct relating to the corporate powers of the municipality;
- A resolution is a legal action by a decision-making body, such as setting fees and adopting policies;
- The City of Banning has codified its Purchasing Policy via Ordinances and Resolutions and some differences have occurred over time;
- It is more appropriate for the Purchasing Policy to be adopted through Resolution than Ordinance;
- The Purchasing System Ordinance Chapter should be at a level of permanence above Policies.

JUSTIFICATION:

The Banning Municipal Code Chapter 3.24 Purchasing System is currently written at a far too detailed level. Several of the Sections in Chapter 3.24 should be contained within the Procurement Policy (B-30) and not codified in Ordinance. Staff has kept the more permanent requirements in the proposed Ordinance and is defining that policy is set via resolution. The sections removed or altered in this proposal are already within the Procurement Policy (B-30) that was last adopted by council via resolution on October 8, 2019. The Procurement Policy is required to be updated at least once every five years, so the policy will come back to council for review and approval this year.

FISCAL IMPACT:

None.

ALTERNATIVES:

Do not approve and provide alternative direction.

ATTACHMENTS:

1. [Ordinance 1604, Purchasing Policy Changes.docx](#)

2. B-30-Procurement-Policies-and-Procedures-10-08-2019