

# REPORT

To the Honorable Mayor and City Council  
From the City Manager

August 8, 2005

## Subject

Submission of a certain specified amendment to the Redwood City Charter to the voters of the City of Redwood City at the consolidated General/Special Municipal Election of November 8, 2005. The proposed amendment amends section 47f (8) of the City Charter and would provide a change in the various threshold amounts for the purchase of materials or supplies to determine when contracts (1) may be awarded without solicitation or advertisement; (2) may be awarded to the lowest responsible bidder after solicitation but without advertisement or public bidding; and (3) may be awarded to the lowest responsible bidder after public bidding. The amendment would only affect the Port of Redwood City.

## Recommendation

1. Adopt a resolution authorizing submission of certain a specified amendment to the Redwood City Charter to the voters of the City of Redwood City at the consolidated General/Special Election of November 8, 2005.
2. Direct the City Attorney to prepare an impartial analysis with respect to the proposed Charter amendment.
3. Authorize the Mayor and Vice-Mayor to sign the ballot arguments in favor of the measures.

## Background


The Redwood City Charter was adopted by the voters of Redwood City in 1929 and has been amended on twelve occasions, last being amended in 2003. In 2003, then Mayor Claire and Vice-Mayor Ira directed the City Attorney to regularly review the City Charter and propose any Charter provisions that would be appropriate for amendment. The Port of Redwood has followed suit and respectfully request that Section 47f (8) be amended. Section 47f (8) is only applicable to the Port of Redwood City. An amendment to Section 47f (8) would bring the Port of Redwood City in part with the City of Redwood City regarding various threshold amounts for the purchase of materials and supplies. Attached hereto as Exhibit "A" are the provisions of the City Charter proposed for amendment and which have been carefully reviewed by Mayor Ira and Vice-Mayor Pierce. Also, attached hereto as Exhibit "B" is the proposed City Council resolution submitting the proposed Charter amendment to the voters of Redwood City at the consolidated General/Special Municipal Election to be held on November 8, 2005.


## Alternative

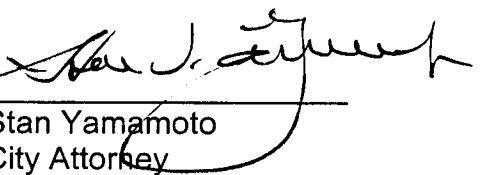
The City Council may utilize its discretion to determine whether Section 47f (8) of the Charter and the resolution shown on Exhibit "B" should be submitted to the voters of Redwood City at the consolidated General/Special Municipal Election of November 8, 2005.

**Fiscal Impact**

The County Elections Office has estimated the cost to the cities for ballots measures to the between \$1,000.00 and \$1,500.00 per sample ballot page. Costs have been budgeted at this time.

  
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Jeff Ira  
Mayor

  
\_\_\_\_\_  
Barbara Pierce  
Vice Mayor

  
\_\_\_\_\_  
Stan Yamamoto  
City Attorney

Attachments:

Exhibit A: Proposed Charter Revisions

Exhibit B: Proposed Resolution re Charter Amendments

## Exhibit A

## CHARTER AMENDMENT

## SECTION 47f (8)

PURPOSE: The purpose of this section of the Charter is to set forth various threshold amounts for the purchase of materials or supplies to determine when contracts (1) may be awarded without solicitation or advertisement; (2) may be awarded to the lowest responsible bidder after solicitation but without advertisement or public bidding; and (3) may be awarded to the lowest responsible bidder after public bidding.

ISSUE: In order to reduce the amount of administrative time and expense in processing small contracts, the threshold amounts set forth in section 47f (8) should be increased.

AMENDMENT: It is recommended that the amount of any contract for the purchase of materials and supplies without solicitation or advertisement be increased from an amount not exceeding \$5,000 to an amount not exceeding \$20,000; that the amount for the purchase of materials and supplies requiring solicitation without public advertisement and award to the lowest responsible bidder be changed from the range of \$5,000 to \$10,000 to the range of \$20,000 to \$50,000; and that the amount of any contract for the purchase of materials and supplies requiring solicitation after public advertisement and award to the lowest responsible bidder be changed from \$10,000 or more to \$50,000 or more. Thus, amendment of Section 47f (8) is recommended to read as follows:

(8) To purchase materials ~~and~~ and/or supplies without soliciting or advertising for bids in an amount not exceeding ~~five~~ twenty thousand dollars ~~(\$5,000)~~ (\$20,000). Every contract for any purchase of materials ~~and~~ and/or supplies, the estimated cost of which is more than ~~five~~ twenty thousand dollars ~~(\$5,000)~~ (\$20,000) but less than ~~ten~~ fifty thousand dollars ~~(\$10,000)~~ (\$50,000), shall be awarded to the lowest responsible bidder after solicitation of bids without public advertisement. Every contract for any purchase of materials and/or supplies, the estimated cost of which is ~~ten~~ fifty thousand dollars ~~(\$10,000)~~ (\$50,000) or more, shall be awarded to the lowest responsible bidder after public advertisement therefor. The Board shall have the power to reject any and all bids, and solicit or advertise again. All solicitations and advertisements as to purchases shall contain a reservation of the foregoing right.

As amended, Section 47f (8) would read as follows:

(8) To purchase materials and/or supplies without soliciting or advertising for bids in an amount not exceeding twenty thousand dollars (\$20,000). Every contract for any purchase of materials and/or supplies, the estimated cost of which is more than twenty thousand dollars (\$20,000) but less than fifty thousand dollars (\$50,000), shall be awarded to the lowest responsible bidder after solicitation of bids without public advertisement. Every contract for any purchase of materials and/or supplies, the estimated cost of which is fifty thousand dollars (\$50,000) or more, shall be awarded to the lowest responsible bidder after public advertisement therefor. The Board shall have the power to reject any and all bids, and solicit or advertise again. All solicitations and advertisements as to purchases shall contain a reservation of the foregoing right.

BALLOT TEXT: "Shall a specified section of the City Charter be amended to allow a change in the various threshold amounts for the purchase of materials or supplies to determine when contracts (1) may be awarded without solicitation or advertisement; (2) may be awarded to the lowest responsible bidder after solicitation but without advertisement or public bidding; and (3) may be awarded to the lowest responsible bidder after public bidding?"

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Stan T. Yamamoto, City Attorney

08/08/2005

## RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE COUNCIL OF THE CITY OF REDWOOD CITY  
SUBMITTING TO THE VOTERS A CERTAIN CHARTER AMENDMENT  
AT THE CONSOLIDATED GENERAL AND SPECIAL MUNICIPAL  
ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2005, AND  
DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL  
ANALYSIS**

**WHEREAS**, pursuant to the provisions of California Elections Code Section 10400, the City Council of the City of Redwood City has ordered a consolidated General and Special Municipal Election; and

**WHEREAS**, under the provisions of the Redwood City Charter, a consolidated General and Special Election shall be held on November 8, 2005, for the election of municipal officers; and

**WHEREAS**, pursuant to authority provided by Article XI of the Constitution, Title 4, Division 2, Chapter 3 of the Government Code, and Division 9, Chapter 3, Article 3 (commencing at Section 9255) of the Elections Code of the State of California, the City Council of the City of Redwood City desires to submit to the voters proposed Charter amendments; and

**WHEREAS**, the City Council is authorized and directed by statute to submit the proposed Charter amendment to the voters.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED AS  
FOLLOWS:**

1. That the City Council, pursuant to the right and authority under California law, hereby orders that the following questions be submitted to the qualified electors of the City of Redwood City at a consolidated General and Special Municipal Election on November 8, 2005:

“Shall a specified section of the City Charter be amended to allow a change in the various threshold amounts for the purchase of materials or supplies to determine when contracts (1) may be awarded without solicitation or advertisement; (2) may be awarded to the lowest responsible bidder after solicitation but without advertisement or public bidding; and (3) may be awarded to the lowest responsible bidder after public bidding?”

2. That the City Council directs the City Clerk to transmit a copy of the proposed Charter Amendment to the City Attorney, unless the organization or salaries of the office of the City Attorney are affected. The City Attorney shall prepare an

impartial analysis of the proposed Charter Amendment, showing the effect of the proposed Charter Amendment on the existing law and the operation of the proposed Charter Amendment. If the proposed Charter Amendment affects the organization or salaries of the office of the City Attorney, the City Clerk shall prepare the impartial analysis. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

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