



## Legislation Details (With Text)

**File #:** O-41-18      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 9/14/2018      **In control:** City Council

**On agenda:** 12/10/2018      **Final action:** 12/10/2018

**Title:** Emergency Procurement - For the purpose of authorizing the appropriation of funds for an emergency procurement; and for establishing a procedure for the procurement of goods and services during an emergency.

**Sponsors:** Gavin Buckley

**Indexes:** Finance Committee, Public Safety Committee

**Code sections:**

**Attachments:** 1. O-41-18 Emergency Procurement.pdf, 2. O-41-18 SR and FIN.pdf, 3. O-41-18 SIGNED.pdf

Date	Ver.	Action By	Action	Result
12/10/2018	1	City Council	adopt on second reader	Pass
12/10/2018	1	City Council	adopt on third reader	Pass
12/3/2018	1	Public Safety Committee	recommend favorably	Pass
12/3/2018	1	Public Safety Committee	presented	
11/5/2018	1	Public Safety Committee	Continue	Pass
10/17/2018	1	Finance Committee	recommend favorably	Pass
10/8/2018	1	City Council	declare the public hearing closed	
9/24/2018	1	City Council	refer	
9/24/2018	1	City Council	refer	
9/24/2018	1	City Council	adopt on first reader	Pass

**Emergency Procurement** - For the purpose of authorizing the appropriation of funds for an emergency procurement; and for establishing a procedure for the procurement of goods and services during an emergency.

## CITY COUNCIL OF THE City of Annapolis

### Ordinance 41-18

**Introduced by: Mayor Buckley**

**Referred to**  
**Finance Committee**  
**Public Safety Committee**

**AN ORDINANCE** concerning

## Emergency Procurement

**FOR** the purpose of authorizing the appropriation of funds for an emergency procurement; and for establishing a procedure for the procurement of goods and services during an emergency.

**BY** repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2018 Edition  
6.16.020

**BY** adding the following portion to the Code of the City of Annapolis, 2018 Edition  
11.48.070

**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

### **TITLE 6 - REVENUE AND FINANCE**

#### **Chapter 6.16 - BUDGET**

##### **Section 6.16.020 - Supplemental Allocations.**

A. No obligations of the City shall be authorized in any fiscal year which are not included in the Annual Operating Budget or the Capital Budget as finally adopted; provided however, that if any item or items are not included in the operating budget which are required and necessary, the following procedure is established for approval authority for transfer of funds in excess of twenty-five thousand dollars from another budgeted item which will not be used or for which there is a surplus or to allocate funds from the surplus:

1. The department head shall submit a request in writing to the Finance Director. Once reviewed the Finance Director shall forward the request to the City Manager and the Mayor for consideration.
2. Within ten working days the Mayor shall consider the request and forward a recommendation to the Finance Committee.
3. The Finance Committee shall report its findings to the City Council.
4. Final action shall be taken by the City Council after receipt of the Finance Committee's recommendation. Unless a hearing is requested by a majority of the City Council, final action shall be taken at the same meeting at which introduced.

B. Except as listed in paragraph C. below, transfer of funds of either (1) less than or equal to twenty-five thousand dollars from another budgeted item or (2) for an emergency procurement in accordance with Section 11.48.070 may be made by the City Manager without meeting the requirements of subsection A.; provided, however, that any such transfer is within the same fund. All transfers approved by the City Manager must be reported to the City Council on the regular agenda at the next scheduled City Council meeting.

C. All monies transferred from bond funds or contingency funds must be reviewed by the Finance Committee and approved by the City Council.

D. The City Council may authorize the allocation of funds from the surplus of the budget provided it authorizes the allocation by a two-thirds vote.

## **TITLE 11 - PUBLIC PEACE, MORALS AND WELFARE**

### **Chapter 11.48 - EMERGENCY MANAGEMENT**

#### **Section 11.48.070 - Emergency Procurement.**

A. Whenever the time required to comply with City procurement laws, regulations and/or requirements would endanger the health or safety of people or property, the City Procurement Officer may make an emergency procurement after obtaining approval of the City Manager, and in accordance with this Section. An emergency procurement shall be limited to only the goods and services necessary to meet the emergency and its duration, and shall conform to the City procurement laws, regulations and requirements to the extent practicable under the circumstances.

B. The Procurement Officer shall maintain a complete, current file record explaining or otherwise supporting the particular basis on which each emergency purchase was made. The records shall be available for public inspection during regular city business hours in the Central Purchasing Office.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

#### **EXPLANATION**

Underlining indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

[Brackets] indicate amendments.