

**ORDINANCE NO. 3534 C.S.**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY**

**M.C.C. CHAPTER 28 AMENDMENT TO AUTHORIZE THE USE OF COOPERATIVE PURCHASING FOR SUPPLIES, SERVICES, MATERIALS, OR EQUIPMENT**

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

**SECTION 1:**

WHEREAS, the City of Monterey desires to obtain the maximum value for the residents of the City by procuring supplies, services, and materials at the best possible value;

WHEREAS, a Cooperative Procurement Contract is defined as the combining of requirements of two or more public procurement entities to leverage the benefits of volume purchases, delivery and supply chain advantages, best practices, and the reduction of administrative time and expense;

WHEREAS, authorizing the use of a Cooperative Procurement Contract will allow the City to achieve bulk pricing by allowing the City to band together with other agencies for cost effective pricing on common materials and goods;

WHEREAS, the originator of the cooperative agreement must be a public agency that uses a fully open, formal, competitive process to determine the appropriate vendor;

WHEREAS, this ordinance revision does not apply to Public Works Projects; and

WHEREAS, the City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA)(CCR, Title 14, Chapter 3 ("CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 2: Monterey City Code, Chapter 28, Section 28-25 regarding the Purchasing Process, is hereby amended to add subsection (d) to read as follows:

(d) Purchases through Cooperative Purchases Contracts

1. A cooperative procurement contract negotiated by another governmental agency may be utilized for the purchase of goods, services and / or supplies if it meets all of following:
  - a. It is in the best interest of the City.
  - b. It is to the City's economic advantage.
  - c. It was competitively awarded using a process that complies with the policies, rules and regulations as approved by the Purchasing Agent or their designee.

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 19th day of January, 2016, by the following vote:

AYES:	5	COUNCILMEMBERS:	Barrett, Downey, Haffa, Smith, Roberson
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

APPROVED:

ATTEST:

  
\_\_\_\_\_  
Mayor of said City

  
\_\_\_\_\_  
City Clerk thereof

