

1 Sponsored by: Councilmembers Connie Ladenburg, Joyce McDonald, Douglas G. Richardson,
2 Dan Roach, and Rick Talbert
3 Requested by: Executive/Public Works

RECEIVED
PIERCE CO. AUDITOR

JUL 26 2016

4
5
6 **ORDINANCE NO. 2016-40**

7
8
9 **An Ordinance of the Pierce County Council Proposing an Amendment to**
10 **Section 9.15 of the Pierce County Charter, "Purchasing,**
11 **Contracts, Claims and Bonds" to Allow the Use of County**
12 **Employees and Equipment for Small-Scale Road**
13 **Improvements and Repairs if the Work Proves Cost**
14 **Effective, is within Current Capabilities, and within the**
15 **Capacity of our Existing Plans and Programs; Requesting**
16 **the Auditor to Submit this Amendment to the Voters at the**
17 **November 2016 General Election; and Requesting the**
18 **Prosecuting Attorney to Draft an Appropriate Ballot Title.**

19
20 **Whereas**, the 2016 Charter Review Commission was presented with a proposed
21 amendment to Section 9.15 of the Pierce County Charter, (Charter) for consideration;
22 and

23
24 **Whereas**, the Commission heard presentations by County staff, as well as
25 supportive testimony from County elected officials and members of the public on the
26 proposed amendment known as O-8; and

27
28 **Whereas**, the Commission discussed O-8 at several of its meetings and voted to
29 forward it to the Council to place on the ballot by a charter amendment ordinance; and

30
31 **Whereas**, Section 8.50 of the Charter grants authority to the Pierce County
32 Council (Council) to propose Charter amendments to be submitted to the voters at the
33 next November general election occurring at least 90 days after filing; and

34
35 **Whereas**, Section 8.60 of the Charter requires a minimum of two-thirds
36 affirmative vote of the Council to enact an Ordinance proposing Charter amendments;
37 and

38
39 **Whereas**, an Ordinance proposing Charter amendments is not subject to the
40 veto power of the Executive; and



JUL 26 2016

1 **Whereas**, pursuant to Section 8.50(1) of the Charter, "...an amendment which
2 embraces a single or interrelated subject may be submitted as a single proposition even
3 though it is composed of changes to one or more articles."; and
4

5 **Whereas**, Section 9.15 of the Charter establishes procedures for procuring
6 supplies, services, materials, and equipment, the awarding of claims, and the sale or
7 refunding of bonds; and
8

9 **Whereas**, Section 9.15 of the Charter limits Pierce County Public Works to
10 \$25,000 per "public works construction"; and
11

12 **Whereas**, without the constraints of the \$25,000 limit as set forth in Charter
13 Section 9.15, the provisions of Revised Code of Washington (RCW) 36.77.065, effective
14 2009, would allow an increase in the current limit to approximately \$3.4 million annually;
15 and
16

17 **Whereas**, a Charter amendment removing the \$25,000 limit will bring the County
18 Charter in line with state law and allow more cost effective use of our County funds by
19 providing savings in cost and time; **Now Therefore**,

20
21 **BE IT ORDAINED by the Council of Pierce County:**
22

23 Section 1. The Pierce County Council hereby proposes a Charter amendment to
24 Section 9.15 of the Charter, "Purchasing, Contracts, Claims and Bonds" as set forth in
25 Exhibit A, which is attached hereto and incorporated herein by reference, for submittal
26 to the voters at the November 2016 General Election.
27

28 Section 2. The Pierce County Prosecuting Attorney is hereby requested to draft
29 an appropriate ballot title for the proposed Charter amendment set forth in Exhibit A.
30



JUL 26 2016

1 Section 3. This Ordinance shall be filed with the Auditor immediately upon
2 adoption for submittal to the voters at the November 2016 General Election.

3
4
5 PASSED this 19th day of July, 2016.

6
7 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

8
9
10 Denise D. Johnson
11
12 **Denise D. Johnson**
13 Clerk of the Council

Douglas G. Richardson
Douglas G. Richardson
Council Chair

14
15
16 Pat McCarthy
17
18 **Pat McCarthy**
19 Pierce County Executive
20 Approved
21 this 25 day of July 2016.

22
23
24 Dates of Publication of
25 Notice of Public Hearing: July 13, 2016
26
27 Effective Date of Ordinance: August 4, 2016
28



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Section 9.15 -- Purchasing, Contracts, Claims and Bonds

(1) The Council shall, by ordinance, establish procedures for procuring supplies, services, materials, and equipment, the awarding of claims, and the sale or refunding of bonds. All public works construction shall be performed following competitive bidding by independent contractors, when the projected value of a project exceeds \$25,000.00 when required by ordinance or state law. The ordinance shall provide how invitations for bids shall be advertised.

(2) The ordinance shall establish procedures to procure professional services on the basis of negotiated fees with professionals selected as most appropriate for the particular service, and shall require advertising and written proposals prior to the selection process. Selection may include consideration of experience, facilities, ability, equal opportunity and location.

(3) All purchases, contracts and bonds subject to bid procedures shall be advertised and, unless all bids are rejected, shall be awarded on the basis of sealed bidding to the lowest and best responsible bidder. The County shall demand a deposit by each bidder in the form of a certified or cashier's check or bid bond in an amount not less than 5 percent of the total bid, such amount to be specified in the call for bids for the following projects:

- (a) construction projects issued subject to sealed bids, and
- (b) other contracts made subject to sealed bids by the County purchasing agent, when he deems it appropriate.

(4) All contracts shall be prepared in coordination with and approved to legal form by the Prosecuting Attorney.

