

CITY ATTORNEY'S IMPARTIAL ANALYSIS
MEASURE U

The City Council placed Measure **U** on the ballot to amend Section 61 of the City Charter relating to public works and purchasing authority.

Currently, Section 61 of the Charter generally requires public projects exceeding \$5,000 to be competitively bid and awarded to the lowest responsible bidder after notice. Section 61 also establishes procedures for advertising and receiving bids and allows the City Council, under specified circumstances and by a four-fifths vote, to authorize work by day labor or the purchase of labor or materials in the open market. The existing section also allows the City Council, by a four-fifths vote, to authorize certain emergency expenditures without competitive bidding.

If approved by the voters, the measure would repeal the existing provisions of Section 61 and replace them with new provisions governing public works and purchasing authority. The specific competitive bidding threshold, bidding procedures, and four-fifths vote requirements currently contained in Section 61 would no longer be established by the Charter.

Under the proposed amendment, the City would be authorized to perform improvement, replacement, repair, maintenance, and construction work using City forces without being required to contract for such work. The City would also be authorized to contract with other public agencies for such work.

The proposed amendment would authorize the City to establish standards, procedures, rules, or regulations relating to the purchasing of goods, property, or services.

The measure would also authorize the City Council, in the event of an emergency affecting public health, safety, or welfare, to approve the expenditure of public funds and the performance of work in accordance with applicable law.

If the measure is approved by a majority of the voters voting on the measure, Section 61 of the City Charter will be amended as described above. If the measure is not approved, the existing provisions of Section 61, including its existing competitive bidding requirements and procedures, will remain in effect.

Megan Crouch
Porterville City Attorney

The above statement is an impartial analysis of Measure **U**. If you desire a copy of the measure, please call the elections official's office at (559) 839-2100 and a copy will be mailed at no cost to you.