

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, REPLACING CHAPTER 3.30 IN ITS ENTIRETY AND RESCINDING ORDINANCES NO. 224, 423, 586, 927, 928, 986, 1162, 1166, 1204, 1229, 1276, 1317, 1335 AND 1392 RELATIVE TO THE PURCHASING SYSTEM AND PUBLIC WORKS CONTRACTS AND MAKING FINDINGS UNDER CEQA.

WHEREAS, the City Palm Desert (“City”) periodically reviews the Palm Desert Municipal Code (“Municipal Code”) to identify areas that need updating, clarification, and revisions in accordance with state law;

WHEREAS, the last comprehensive update to the purchasing policies and procedures, codified in Municipal Code Chapter 3.30, was in the year 2023;

WHEREAS, this update will ensure consistency amongst the various contracts and purchases, simplify the procurement process while maintaining internal controls, allow for flexibility and efficiencies, and ensure vendors follow non-discriminatory practices in employment and subcontracting; and

WHEREAS, all other legal prerequisites to the presentation of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The City Council finds that the above recitals are true and correct and, accordingly, are incorporated as a material part of this Ordinance.

Section 2. Amending Chapter 3.30. Chapter 3.30 (Purchasing System and Public Works Contracts) of the Palm Desert Municipal Code is hereby amended to read in its entirety as set forth in Exhibit “A” to this Ordinance, which is hereby incorporated by reference herein.

Section 3. Severability. If any section, subsection, clause or phrase of this Ordinance or any part thereof is for any reason held to be invalid, unconstitutional, or unenforceable by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of the Ordinance. The City Council declares that it would have passed each section, subsection, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase would be declared invalid, unconstitutional or unenforceable.

Section 4. CEQA. The City Council hereby finds and determines that this Ordinance is exempt from CEQA pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that the Ordinance would not have the potential or

possibility for causing a significant effect on the environment. Specifically, the proposed changes to the Municipal Code are primarily administrative in nature and clean-up various inconsistencies that existed in the prior version of the Municipal Code. Moreover, many of the changes are technical in nature and do not allow for specific development. In reviewing the Ordinance the City Council has exercised its independent judgment and has reviewed and considered the Ordinance in light of all testimony received, both oral and written. Therefore, based upon the entire administrative record, the City Council hereby determines that no further environmental review is required for the Ordinance.

SECTION 5. Publication. The City Clerk of the City of Palm Desert, California, is hereby directed to publish a summary of this Ordinance in the Desert Sun, a newspaper of general circulation, published and circulated in the City of Palm Desert, California, and shall be in full force and effective thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Palm Desert, California, on the ____ day of _____, 2024 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Karina Qunitanilla, Mayor

ATTEST:

Anthony Mejia, City Clerk
City of Palm Desert, California

APPROVED AS TO FORM:

Isra Shah, City Attorney

EXHIBIT “A”