

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

**ORDINANCE NO. 2024-013**

**ORDINANCE TO AMEND §1-6-310 “EMERGENCIES” OF THE SAN LEANDRO MUNICIPAL CODE TO INCREASE THE EMERGENCY SPENDING THRESHOLD**

**WHEREAS**, §1-6-310 of the San Leandro Municipal Code provides that the City Manager or their designee is authorized to make purchases of \$50,000 or less when necessary to respond to an emergency which threatens the public health, safety, and welfare; and

**WHEREAS**, the City Council amended §§1-6-200 and 1-6-215 of the San Leandro Municipal Code with Ordinance No. 2022-020 to increase the purchasing thresholds for City Manager award and competitive bidding requirements; and

**WHEREAS**, the City Council desires to amend Section 1-6-310 of the San Leandro Municipal Code to increase the emergency spending threshold.

**NOW, THEREFORE**, the City Council of the City of San Leandro does **ORDAIN** as follows:

**SECTION 1. RECITALS.** The recitals above are true and correct, and hereby made a part of this Ordinance by this reference.

**SECTION 2. AMENDMENT TO §1-6-310.** §1-6-310 of the San Leandro Municipal Code is hereby amended to read as follows, with text in strikethrough indicating deletions, and text in italic indicating additions:

**1-6-310 EMERGENCIES.**

Purchases of ~~equipment, materials, supplies and services~~ determined by the City Manager or designee to be necessary to respond to an emergency which threatens the public health, safety, or welfare may be made without competitive bidding and without Council approval if such purchases are in the amount of ~~Fifty thousand dollars~~ *Two-Hundred Thousand Dollars* or under.

**SECTION 3. CEQA.** Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines §15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed the Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5. PUBLICATION AND EFFECTIVE DATE.** This Ordinance shall take effect thirty (30) days after adoption. The City Clerk of the City of San Leandro shall cause the Ordinance to be published in accordance with section 36933 of the Government Code of the State of California

Introduced by Councilmember Aguilar and passed to print on the 16<sup>th</sup> day of September 2024 by the following vote:

<b>AYES:</b>	Councilmembers Aguilar, Azevedo, Bowen, Ballew, Simon, and Mayor González	(6)
<b>NOES:</b>	None	(0)
<b>ABSENT:</b>	Councilmember Viveros-Walton	(1)

Passed and adopted the 7<sup>th</sup> day of October 2024 after publication on September 20, 2024 by the following vote:

<b>AYES:</b>		(0)
<b>NOES:</b>		(0)
<b>ABSENT:</b>		(0)

ATTEST: \_\_\_\_\_  
Kelly B. Clancy, CMC  
City Clerk

