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**MEMORANDUM
OFFICE OF THE CITY ATTORNEY**

DATE: November 13, 2023
TO: Sarah Gorman, City Clerk Services Manager
FROM: Sarah J. Knecht, City Attorney *SK*
SUBJECT: Impartial Analysis for Measure to Amend Charter Section 519

Attached please find my impartial analysis for the above-referenced measure.

Please let me know should you have any questions.

cc: Rebecca J. Bjork, City Administrator

IMPARTIAL ANALYSIS OF MEASURE __

Measure __ is a City Council proposal to amend City Charter Section 519 to modernize the City's public works contracting. If approved by a majority of the City's voters, Measure __ would amend the City Charter to allow the City Council to establish procedure for competitive contracting for construction or improvement of City buildings, streets, parks, playgrounds, utilities, and other facilities in any manner available to other charter cities in California within the full scope of its "Home Rule" authority under the Constitution and laws of California.

The City Charter currently limits the City to a single contracting method for construction or improvement of City buildings, streets, parks, playgrounds, utilities, and other facilities. The Charter currently requires construction contracts to be awarded to the lowest responsible, responsive bidder after a notice published in a newspaper of general circulation. There are limited exceptions for maintenance and repair and emergency work contracts. The current Charter authorizes the City Council to establish alternate contracting methods for water system projects. Measure __ would instead allow the City Council to establish alternate methods of competition for public works contracts for all types of public works projects.

Measure __ will amend Charter Section 519 to read: "The City Council, by ordinance, shall establish procedures for competitive procurement of contracts for public works and improvements not otherwise prohibited by law. The City may also procure contracts for public works and improvements by any procedure authorized by state statute." It will also allow the City to contract for public works under any procedure authorized by state statute. Measure __ was placed on the ballot by the City Council upon recommendation of the Public Works Director.

A "yes" vote is a vote to approve the proposed Charter amendment.

A "no" vote is a vote not to approve the proposed Charter amendment.

Sarah J. Knecht
City Attorney
City of Santa Barbara