



## Staff Report

April 5, 2021 Council Workshop

City Contract Discussion (Resolution No 16-009)

Presenter: Cathy Huber Nickerson, Finance Director

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**BACKGROUND:** This presentation is to review the City’s contract process current state, best practices, options available and a staff recommendation to move forward.

**SUMMARY:** RCW 35A.11.010 provides the authority to contract with the City Council. The responsibility to obligate the City resides with the City Council. City Council also has the authority to delegate some of the responsibility to City Administration in order facilitate efficiency for both Council and staff. Council approved Resolution 16-009 by providing thresholds to delegate contract approval to the Mayor or designee. Council also directed the Finance Director to establish administrative policies and procedures to ensure the “City contracting, agreements and procurement activities are in compliance with state law, municipal code, and any applicable resolutions.” The City has and is currently in compliance with Resolution 16-009 which annually in independently confirmed by the State of Washington Auditor’s Office during the annual financial audit of the City.

Council has requested a discussion to rescind Resolution 16-009. This presentation is to discuss:

1. Current State – what works and what is not working
2. Best Practices
3. Considerations such as timeliness, staff time, types of contracts, etc.
4. Optional solutions
5. Discussion and Council Direction

### **EQUITY CONSIDERATIONS:**

What are the desired results and outcomes for this agenda item? The intent of the presentation is to provide City Council an overview of the contract and agreement process for the City and to provide information to ensure efficiency while providing appropriate Council oversight.

What’s the data? What does the data tell us? The data shows most cities have thresholds to determine which contracts are reviewed by City Council and which are delegated to staff

internal processes. State law provides latitude for cities to determine their own processes. MRSC has provided guidelines which the City staff have incorporated into practice.

How have communities been engaged? Are there opportunities to expand engagement? N/A

Who will benefit from, or be burdened by this agenda item? This agenda item is intended to benefit citizens by ensuring the City's financial resources are prudently spent efficiently..

What are the strategies to mitigate any unintended consequences? The City has policies and procedures in place which the State Auditor evaluates annually.

Does this agenda item have a differential impact on underserved populations, people living with disabilities, and/or communities of color? Please provide available data to illustrate this impact. N/A

Will this agenda item improve ADA accessibilities for people with disabilities? N/A

What potential hurdles exists in implementing this proposal (include both operational and political)? If Council elects to review every contract, there will be a significant amount of staff time required to prepare, present and process. This may require additional staff to help with the Council preparation.

How will you ensure accountabilities, communicate, and evaluate results? Staff will need to track and use the data to communicate back to Council.

How does this item support a comprehensive plan goal, policy, or other adopted resolution? This item may have unintended consequences with time constraints, responsiveness, emergency events and efficiency efforts.

**BUDGET IMPACT:** Depending upon Council's decision, there could be budgetary impacts with potential staffing needs to implement a new process.

**RECOMMENDATION:** Staff is looking for direction from Council as to their preference of options to maintain, modify thresholds or rescind Resolution 16-009 to review all contracts.