



**Roll Call Number**

**Agenda Item Number**

36

**Date** December 22, 2008

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, amended by Ordinance No. 13,966 passed July 9, 2001, and Ordinance No. 14,347 passed June 21, 2004, by amending Section 90-35 thereof, relating to the powers and duties of the public housing board.

which was considered and voted upon for the first time under Roll Call No. 08- 2069 of November 24, 2008, and considered and voted upon for the second time under Roll Call No. 08- 2144 of December 8, 2008, again presented.

Moved by \_\_\_\_\_ that this ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	
_____ Mayor				


**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk

08-2144 36

 <p><b>Council Communication</b> Office of the City Manager</p>	<b>Date</b>	November 24, 2008
	<b>Agenda Item No.</b> 37 <b>Roll Call No.</b> 08- <del>3069</del> <b>Communication No.</b> 08-710 <b>Submitted by:</b> Chris Johansen, Assistant City Manager	

**AGENDA HEADING:**

Amending Chapter 90 of the Municipal Code regarding purchasing and procurement powers of the Public Housing Advisory Board.

**SYNOPSIS:**

Recommend approving amendment to the Municipal Code Section 90-35 regarding the Public Housing Advisory Board's powers to approve Competitive Proposal Contracts for the procurement of goods and services in compliance with the United States Department of Housing and Urban Development (HUD) as set forth in HUD procurement handbook No. 7460.8 REV 2.

**FISCAL IMPACT: NONE**

Amount: N/A

Funding Source: N/A

**ADDITIONAL INFORMATION:**

This proposed amendment will allow other criteria to be used, in addition to price, for the procurement of goods and services. Some procurement for goods and services that normally follow a sealed bid process may be bid through a more formal competitive proposal process.

Municipal Code Section 90-35 establishes the powers and duties of the Public Housing Board. The Public Housing Board has purchasing and procurement powers established for the Des Moines Municipal Housing Agency. In addition to the purchasing and procurement powers set forth in the Municipal Code, it is recommended that the Public Housing Board may approve Competitive Proposal Contracts (a/k/a "negotiated procurement") for the procurement of goods and services submitted by the City Manager or the Director of Housing Services which comply with the procurement policies of the United States Department of Housing and Urban Development (HUD) as set forth in HUD procurement handbook No. 7460.8 REV 2. This provision would be used, for example, to evaluate product warranties along with purchase prices.

The purchases of goods and services for the Des Moines Municipal Housing Agency are directly related to the safety of our Public Housing residents and the improvements to the units in which they reside. This additional procurement provision will allow the Housing Services Department to enhance the services and security of their housing options.

08-2144

**PREVIOUS COUNCIL ACTION(S): NONE**

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).

D8-2144 ~~D8-2069~~  
37  
33  
36

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, amended by Ordinance No. 13,966 passed July 9, 2001, and Ordinance No. 14,347 passed June 21, 2004, by amending Section 90-35 thereof, relating to the powers and duties of the public housing board.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,966 passed July 9, 2001, and Ordinance No. 14,347 passed June 21, 2004 is hereby amended by amending Section 90-35 relating to the powers and duties of the public housing board, as follows:

**Sec. 90-35. Powers and duties.**

The public housing board is delegated the following authority:

- (1) Initiate programs or projects, including grant applications that further the policies and plans of the city's municipal housing agency, including tenant conduct and relations, in accordance with applicable local, state or federal laws, rules or regulations.
- (2) Interact with other governmental agencies with respect to the application for and implementation of grants and other funding programs.
- (3) Review and comment on the department director's annual operating and capital budgets prior to their submission to the city manager.
- (4) Buy, lease, sell or exchange supplies, equipment and materials and procure services or work to the extent unencumbered funds are available when such contracts or agreements exceed the amount set forth in Subdivision V, Procurement Division of Chapter 2, Administration of Article V, Departments of Division 3, Finance. All references to the city council in Subdivision V, Procurement Division of Chapter 2, Administration of Article V, Departments of Division 3 Finance of this Code shall be deemed to mean the public housing board in their application as provided in this chapter.

08-2144 08-2009  
37  
33

36

- (a) In addition to the purchasing and procurement powers set forth in section (4) above the Public Housing Board may approve Competitive Proposal Contracts (a/k/a "negotiated procurement") for the procurement of goods and services submitted by the City Manager or the Director of Housing Services which comply with the procurement policies of the United States Department of Housing and Urban Development (HUD) as set forth in HUD procurement handbook No. 7460.8 REV 2.
- (5) Oversight of the development of municipal housing agency real property in accordance with governing board approved housing projects.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Mary A. Laughlin  
Mary A. Laughlin  
Assistant City Attorney