

(Summary Published in the Leavenworth Times on May 12, 2023)

**ORDINANCE NO. 8213
BEING A FIRST AMENDMENT TO CHARTER ORDINANCE NO. 40**

AN ORDINANCE REGARDING PURCHASING PRACTICES FOR CERTAIN CITY IMPROVEMENTS, AMENDING BY REGULAR ORDINANCE CHARTER ORDINANCE NO. 40, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

WHEREAS, on May 27, 1997, the Governing Body of the City of Leavenworth, Kansas, passed and approved Charter Ordinance No. 40 which, among other things, exempted the City from and made inapplicable to it, the provisions of K.S.A. 13-1017 related to purchasing practices for certain city improvements, and provided substitute provisions on the same subject; and

WHEREAS, among other things, Section 2 of Charter Ordinance No. 40 provided that in all cases where the estimated cost of the contemplated building, facility or other improvement amounts to more than \$10,000, sealed proposals for the improvement shall be invited by advertisement and published by the city clerk once in the official city paper, and the governing body shall let all such work by contract to the lowest responsible bidder who submits a responsive bid, if there is any whose bid does not exceed the estimate; and

WHEREAS, Section 3 of Charter Ordinance No. 40 provides that any future modification to the \$10,000 cost provision stated in Section 2 of Charter Ordinance No. 40 can be made by simple ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. Section 2 of Charter Ordinance No. 40 is hereby deleted in its entirety and amended to read as follows:

Section 2. Estimate of Cost of Improvements; Contracts; Bids; Bond Issue; When. Before undertaking the construction or reconstruction of any sidewalk, curb, gutter, bridge, pavement, sewer or any other public improvement of any street, highway, public grounds, or public building or facility, or any other kind of public improvement in the City of Leavenworth is commenced or ordered by the governing body, or under its authority, a detailed estimate of the cost of the improvements shall be made under oath by the city engineer (or some other competent person, appointed for such purposes by the governing body). Such estimate shall be submitted to the governing body for its action thereon. In all cases where the estimated cost of the contemplated building, facility or other improvement amounts to more than \$10,000,000.00, sealed proposals for the improvement shall be invited by advertisement, published by the city clerk once in the official city paper. The governing body shall let all such work by contract to the lowest responsible bidder who submits a responsive bid, if there is any whose bid does not exceed the estimate.

Section 2. Section 2 of Charter Ordinance No. 40, in existence as of and prior to the adoption of this ordinance is hereby repealed. Except as expressly modified by this ordinance, Charter Ordinance No. 40 remains unmodified and in full force and effect and is hereby ratified and affirmed in all respects. To the extent of any conflict or inconsistency between this ordinance and Charter Ordinance No. 40, the terms and conditions of this ordinance shall control.

Section 3. This ordinance shall take effect and be in force from and after its publication in the official city newspaper as provided by law.

PASSED and APPROVED by the Governing Body on the 9th day of May, 2023.

/s/ Jermaine Wilson
Jermaine Wilson, Mayor

{SEAL}

ATTEST:

/s/ Sarah Bodensteiner
Sarah Bodensteiner, CMC, City Clerk