

ORDINANCE NO. 14-04

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, DECLARING THE DOCUMENT ENTITLED THE "2014 AMENDMENTS TO CHAPTER 3 OF THE QUARTZSITE TOWN CODE" AS A PUBLIC RECORD; ADOPTING BY REFERENCE THAT PUBLIC RECORD KNOWN AS THE "2014 AMENDMENTS TO CHAPTER 3 OF THE QUARTZSITE TOWN CODE" TO AMEND THE TOWN CODE OF QUARTZSITE, ARIZONA, CHAPTER 3 ADMINISTRATION, ARTICLE 3.1 OFFICERS IN GENERAL, SECTION 3-1-1 OFFICERS; AMENDING ARTICLE 3-2 OFFICERS, BY AMENDING SECTIONS 3-2-1 TOWN MANAGER, 3-2-2 TOWN CLERK, 3-2-4 TOWN ENGINEER, AND 3-2-5 TOWN ATTORNEY AND REPEALING SECTION 3-1-4 VACANCIES; HOLDING MORE THAN ONE OFFICE RELATED TO APPOINTMENT AND DUTIES OF OFFICERS IN THE TOWN; AMENDING ARTICLE 3-3 PERSONNEL SYSTEM BY AMENDING SECTIONS 3-3-2 CONDITIONS OF EMPLOYMENT AND 3-3-5 PERSONNEL ADVISORY BOARD RELATED TO THE CONDITIONS OF TOWN EMPLOYMENT AND TO APPOINTMENT AND DUTIES OF THE PERSONNEL ADVISORY BOARD; AMENDING ARTICLE 3-4 PROCUREMENT BY AMENDING SECTIONS 3-4-1 GENERAL, 3-4-2 PROCEDURE AND 3-4-3 AWARD BY COUNCIL AND ADDING NEW SECTIONS 3-4-8 CHANGE ORDERS AND 3-4-9 UNAUTHORIZED PURCHASES AND REPEALING SECTIONS 3-4-3 EXCLUSIVE SERVICE, 3-4-7 EMERGENCY PURCHASES, 3-4-9 PROFESSIONAL SERVICES AND 3-4-10 COOPERATIVE PURCHASING RELATED TO PROCEDURES FOR PROCUREMENT; AMENDING ARTICLE 3-5 OFFICE OF ZONING ADMINISTRATOR BY AMENDING SECTIONS 3-5-2 APPOINTMENT OF ZONING ADMINISTRATOR AND (SECOND) 3-5-2 APPOINTMENT OF ZONING ADMINISTRATOR RELATED TO APPOINTMENT AND DUTIES OF THE ZONING ADMINISTRATOR; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

BE IT ORDAINED BY the Common Council of the Town of Quartzsite, Arizona as follows:

Section I. In General

That certain document known as the "2014 Amendments to Chapter 3 of the Quartzsite Town Code" three (3) copies of which shall remain on file in the office of the Town Clerk, is hereby declared to be a public record.

The Code of Quartzsite, Arizona, Chapter 3 Administration shall be amended by adopting the "2014 Amendments to Chapter 3 of the Quartzsite Town Code" which public record is hereby referred to, adopted and incorporated by reference.

Section II. Providing For Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

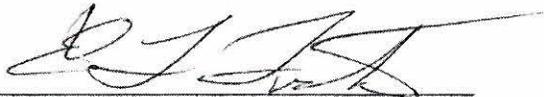
Section III. Providing For Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

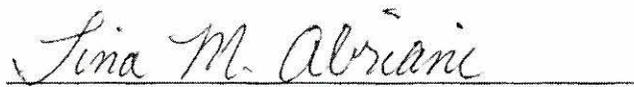
PASSED AND ADOPTED by the Common Council of the Town of Quartzsite, Arizona, this 22ND day of JULY, 2014, by the following vote:

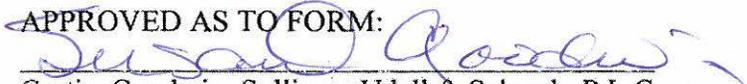
AYES: 6
NAYES: 0 ABSENT: 1
EXCUSED: 0 ABSTAINED: 0

APPROVED this 22ND day of JULY, 2014.


Ed Foster, Mayor

ATTEST:


Tina Abriani, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By: Susan D. Goodwin

I, TINA APRIANI, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 29TH ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, ON THE _____ DAY OF JULY, 2014, WAS POSTED IN THREE PLACES AND ON THE TOWN'S WEBSITE ON THE 29TH DAY OF JULY, 2014.


Town Clerk

2014 AMENDMENTS TO CHAPTER 3 OF THE QUARTZSITE TOWN CODE

CHAPTER 3 ADMINISTRATION

ARTICLE 3-1 OFFICERS IN GENERAL

Section 3-1-1 Officers

There are hereby created the offices of town manager, town clerk, police chief, town engineer, town attorney and town magistrate who shall be appointed by the Council and who shall serve, with the exception of the magistrate, at the pleasure of the Council. The magistrate shall be appointed for a term of office as provided in Section 5-2-1.

~~Section 3-1-4 Vacancies; Holding More Than One Office~~

~~Any vacancy that shall occur in any town office shall be filled by appointment by the Council, provided that one person may hold more than one office and that, at the discretion of the Council, the functions of a town official may be validly performed and discharged by a deputy or another town official, or an otherwise qualified individual not holding office but employed at the pleasure of the Council.~~

ARTICLE 3-2 OFFICERS

Section 3-2-1 Town Manager

* * * *

- D. Removal Procedure. The town manager may be removed by a majority vote of the MEMBERS OF THE Council. ~~If requested, the Council shall grant him a public hearing within thirty days following notice of removal. During the interim, the Council may suspend the manager from duty, but shall continue his salary and, if the removal becomes final, shall pay his salary for one month following the removal date.~~ SEVERANCE PAY, IF ANY, SHALL BE AS PROVIDED IN A CONTRACT.
- E. Powers and Duties. The town manager shall be the administrative head of the government of the town under the direction and control of the Council except as otherwise provided by the Council. He shall be responsible to the Council for the proper administration of all affairs of the town. In addition to his general powers as administrative head and not as a limitation thereon, it shall be his duty and he shall have the powers set forth in the following paragraphs.

1. Appoint and, when necessary for the good of the service, suspend or remove all officers and employees of the town not appointed by the Council. IF AN OFFICER OR EMPLOYEE'S APPOINTMENT REQUIRED THE CONCURRENCE OF THE COUNCIL, REMOVAL SHALL REQUIRE CONCURRENCE OF THE COUNCIL. He may authorize the head of a department or office to appoint, suspend or remove subordinates in such department or office. ALL APPOINTMENTS AND REMOVALS SHALL BE BASED ON MERIT AND UPON THE QUALIFICATIONS AND DISQUALIFICATIONS OF SUCH OFFICER OR EMPLOYEE WITHOUT REGARD TO ANY POLITICAL BELIEF OR AFFILIATION.

* * *

6. Recommend to the ~~governing body~~ COUNCIL from time to time adoption of such measures as he may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.

* * *

12. OVERSEE THE WORK OF THE POLICE CHIEF AND PROVIDE FOR A WRITTEN EVALUATION ON AN ANNUAL BASIS TO BE PROVIDED TO THE COUNCIL FOR CONSIDERATION.

Renumber existing paragraph 12 to paragraph 13.

Section 3-2-2 Town Clerk

A. Appointment. The Clerk shall be appointed by the Town Manager WITH THE CONCURRENCE OF THE COUNCIL. The position shall be classified and subject to the Town of Quartzsite Personnel Policy.

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Section 3-2-4 Town Engineer

The town engineer shall be appointed by the TOWN MANAGER WITH THE CONCURRENCE OF THE Council. The engineer shall have charge of the town streets, sewers and waterworks and shall perform such duties as may be required of him by law and such other duties as the Council may deem necessary.

Section 3-2-5 Town Attorney; TOWN PROSECUTOR

- A. TOWN ATTORNEY. The Town Attorney shall be appointed by the ~~Town Manager under contract terms approved by~~ Council. The Town Attorney shall act

as the legal counselor and advisor of the Council and other town officials and, as such, shall give his opinion in writing when requested by the Town Manager. The Town Attorney shall review and assist in the drafting of all deeds, contracts, conveyances, ordinances, resolutions and other legal instruments when required by the Town Manager. The Town Attorney shall approve or disapprove as to form, in writing, all drafts of contracts and all official or other bonds before final approval or acceptance thereof by the Council. The Town Attorney shall return within the time allotted by the Town Manager all ordinances and resolutions submitted for consideration by the Town Manager, with approval or disapproval as to form noted thereon, together with the reasons therefore. EXCEPT FOR MATTERS HANDLED BY COUNSEL APPOINTED BY THE TOWN'S INSURANCE CARRIER, the Town Attorney shall prosecute and defend all CIVIL suits, actions or causes where the town is a party to the extent of the Town Attorney's ability and in accordance with the Town Attorney's independent professional legal judgment and in compliance with the Arizona Supreme Court's Rule of Professional Responsibility shall report to the Council, when required, the condition of any suit or action to which the town is a party. THE TOWN ATTORNEY SHALL ATTEND ALL COUNCIL MEETINGS TO ADVISE THE COUNCIL ON LEGAL ISSUES AND SERVE AS TOWN PARLIAMENTARIAN.

- B. TOWN PROSECUTOR. The Town Attorney PROSECUTOR shall BE APPOINTED BY THE COUNCIL. THE TOWN PROSECUTOR SHALL prosecute all criminal charges in the Quartzsite Magistrate Court which are supported by probable cause within the parameters of the Arizona Supreme Court's Rules of Professional Responsibility and prevailing standards of prosecution. The Town Attorney PROSECUTOR shall prosecute all civil, petty and civil traffic offenses in the Quartzsite Magistrate Court which are supported by probable cause within the parameters of Professional responsibility and prevailing standards of prosecution if the defendant in such matters is represented by counsel. ~~The Town Attorney shall attend all Council meetings to advise the Council on legal issues and serve as Town Parliamentarian.~~

ARTICLE 3-3 Personnel System

Section 3-3-2 Conditions of Employment

The appointment, promotion and tenure of every employee shall be conditioned solely on merit, and fitness QUALIFICATIONS and the satisfactory performance of the duties and responsibilities assigned. No employee or applicant for employment shall be discriminated against on the basis of race, color, religion, sex, age or political affiliation.

Section 3-3-5 Personnel ADVISORY Board

A. Terms

There is hereby created a personnel board, which shall consist of three (3) REGULAR members AND TWO (2) ALTERNATE MEMBERS from the citizens of the town; REGULAR MEMBERS AND ALTERNATES SHALL BE appointed by the Mayor and Council; ~~setting~~ THE terms of REGULAR MEMBERS SHALL BE three (3) years, so staggered that only two (2) board member terms expire in the same year. THE TERMS OF THE ALTERNATE MEMBERS SHALL BE ONE (1) YEAR. ALTERNATE MEMBERS SHALL BE CALLED BY THE CHAIRMAN AS NEEDED TO ASSURE A QUORUM IS PRESENT. This board shall be required to meet a minimum of once each year at a date and time to be determined by the members of the board. Special Meetings may be called as needed by the chairman. The REGULAR members of the board shall elect a chairman from their membership to conduct the meetings. The members of the personnel board shall serve at the pleasure of the Mayor and Council.

B. Duties

The board shall meet as needed to conduct hearings on qualified employee grievances and make recommendations to the Town Manager or his/her designee as the Personnel Officer. ~~In the event that the board does not have full membership, the Hearing Officer for the Town of Quartzsite, Arizona, or in his absence the Hearing Officer for La Paz County, Arizona shall conduct the hearing on qualified employee grievances and make recommendations to the Town Manager and his/her designee as the Personnel Officer.~~ THE BOARD MAY MEET IN EXECUTIVE SESSION IN ACCORDANCE WITH THE ARIZONA OPEN MEETING LAW.

ARTICLE 3-4 PROCUREMENT

Section 3-4-1 General

The Town Manager is the procurement agent for the town. ~~Procurement of property or services whether by purchases or by contract for services called Category 1, Category 2, Category 3, and Category 4, which shall be further defined by Resolution of the Common Council.~~ NO PURCHASE OF GOODS OR CONTRACT FOR SERVICES OF ANY KIND OR DESCRIPTION, PAYMENT FOR WHICH IS TO BE MADE FROM FUNDS OF THE TOWN, SHALL BE MADE BY THE PROCUREMENT AGENT, OR ANY OFFICER, EMPLOYEE OR AGENT OF THE TOWN, EXCEPT IN THE MANNER SET FORTH IN THIS ARTICLE, AND UNLESS SAID PURCHASE IS IN ACCORDANCE WITH THE ADOPTED TOWN BUDGET.

Section 3-4-2 Procedure

~~A. Any Category 1 procurement may be made by the procurement agent or his or her proxy without further formality.~~

- ~~B. Any Category 2 procurement made by the procurement agent or his or her proxy shall require the solicitation of at least three oral bids for the item or service and the procurement made from the lowest responsible bidder.~~
- ~~C. Any Category 3 procurement made by the procurement agent or his or her proxy shall require the solicitation of at least three oral bids for the item or service and the procurement made from the lowest responsible bidder.~~
- ~~D. Category 4 procurement:~~
- A. \$2,000 OR LESS. WHENEVER ANY CONTEMPLATED PURCHASE OF GOODS OR CONTRACT FOR SERVICES IS FOR THE SUM OF \$2,000 OR LESS, THE PROCUREMENT AGENT MAY PURCHASE THE ITEM AS NEEDED WITHOUT FURTHER FORMALITY.
- B. \$2,001 TO \$4,000 INCLUSIVE. WHENEVER ANY CONTEMPLATED PURCHASE OF GOODS OR CONTRACT FOR SERVICES IS FOR THE SUM OF AT LEAST \$2,001 BUT NOT MORE THAN \$4,000, THE PROCUREMENT AGENT SHALL SOLICIT AT LEAST THREE ORAL BIDS FOR THE ITEM OR SERVICE. THE PROCUREMENT AGENT MAY THEN AWARD THE PURCHASE OR CONTRACT OF SERVICE TO THE LOWEST RESPONSIBLE BIDDER WHO SUBMITS A RESPONSIVE BID.
- C. \$4,001 TO \$8,000 INCLUSIVE. WHENEVER ANY CONTEMPLATED PURCHASE OF GOODS OR CONTRACT FOR SERVICES IS FOR THE SUM OF AT LEAST \$4,001 BUT NOT MORE THAN \$8,000, THE PROCUREMENT AGENT SHALL SOLICIT AT LEAST THREE WRITTEN BIDS FOR THE ITEM OR SERVICE ON BID FORMS AND AWARD THE PURCHASE OR CONTRACT OF SERVICES TO THE LOWEST RESPONSIBLE BIDDER.
- D. \$8,000 AND OVER. WHENEVER ANY CONTEMPLATED PURCHASE OF GOODS OR CONTRACT FOR SERVICES IS FOR THE SUM OF \$8,000 OR MORE, THE PROCUREMENT AGENT SHALL CAUSE TO BE PUBLISHED IN TWO ISSUES OF A NEWSPAPER OF GENERAL CIRCULATION IN THE TOWN, NOTICE INVITING BIDS, WHICH NOTICE SHALL BE PUBLISHED AT LEAST FIVE DAYS PRIOR TO THE DATE SET FOR THE RECEIPT OF THE BIDS. THE NOTICE HEREIN REQUIRED SHALL INCLUDE A GENERAL DESCRIPTION OF THE ARTICLES TO BE PURCHASED OR SERVICES TO BE PERFORMED AND THE TIME AND PLACE FOR OPENING BIDS. IN ADDITION, THE PURCHASING AGENT SHALL POST A NOTICE INVITING BIDS IN THE TOWN HALL AND MAY ALSO MAIL TO ALL RESPONSIBLE PROSPECTIVE SUPPLIERS A COPY OF THE NOTICE INSERTED IN THE NEWSPAPER.
- ~~E. Purchases and contracts for property shall require the publication of a solicitation for bids in two issues of a newspaper of general circulation in the town giving not~~

~~less than at least ten days following the second publication for prospective bidders to place a bid unless the cost of publication is equal to or in excess of two percent (2%) of the cost of the procurement inclusive of any taxes, fees or other necessary charges.~~

~~F. If publication of notice of solicitation of bids is required, the notice shall include a general description of the articles to be purchased or services to be performed and the time and place for opening bids. In addition, the procurement agent shall post a notice inviting bids in the town hall and may also mail to all responsible prospective suppliers a copy of the notice inserted in the newspaper.~~

~~G. If publication of notice of solicitation of bids is not required, procurement shall be conducted as for Category 3 procurement.~~

E. EXCEPTIONS: THE FOLLOWING PROCUREMENTS ARE EXEMPT FROM THE BIDDING REQUIREMENTS OF THIS ARTICLE TO THE EXTENT SET FORTH BELOW.

1. CONSTRUCTION CONTRACT. CONSTRUCTION PROJECTS ARE EXEMPT FROM THESE BIDDING REQUIREMENTS AND SHALL COMPLY WITH TITLE 34, ARIZONA REVISED STATUTES; HOWEVER, IF PUBLIC COMPETITIVE BIDDING IS NOT REQUIRED PURSUANT TO A.R.S. § 34-201(C) AND (D), THEN THE REQUIREMENTS OF THIS SECTION SHALL APPLY.
2. COOPERATIVE PURCHASING. COOPERATIVE PURCHASES ARE EXEMPT FROM THESE BIDDING REQUIREMENTS WHENEVER OTHER GOVERNMENTAL UNITS HAVE BID THE SAME ITEM OR SERVICE IF, IN THE OPINION OF THE PROCUREMENT AGENT, A SEPARATE BIDDING PROCESS IS NOT LIKELY TO RESULT IN A LOWER PRICE FOR SUCH ITEMS OR SERVICES. PURCHASES FROM THE STATE BID LIST ARE COOPERATIVE PURCHASES.
3. SOLE SOURCE PROVIDERS. PURCHASES FROM SOLE SOURCE PROVIDERS ARE EXEMPT FROM THESE BIDDING REQUIREMENTS IF THE PROCUREMENT AGENT MAKES A WRITTEN DETERMINATION THAT COMPETITION IS NOT AVAILABLE AND THERE IS ONLY ONE KNOWN SOURCE FOR THE GOODS OR SERVICES.
4. PROFESSIONAL SERVICES. CONTRACTS FOR PROFESSIONAL SERVICES ARE EXEMPT FROM THESE BIDDING REQUIREMENTS. CONTRACTS FOR PROFESSIONAL SERVICES OF ENGINEERS, ARCHITECTS, LANDSCAPE ARCHITECTS, ASSAYERS, GEOLOGISTS AND LAND SURVEYORS MAY BE REQUIRED TO COMPLY WITH THE

PROCEDURES SET FORTH IN A.R.S. § 34-102(C), A.R.S. § 34-103(C) AND (D) OR TITLE 34, CHAPTER 6, ARIZONA REVISED STATUTES.

5. INTERGOVERNMENTAL AGREEMENTS. INTERGOVERNMENTAL AGREEMENTS ARE EXEMPT FROM THESE BIDDING REQUIREMENTS.
6. EMERGENCY PURCHASES. THE PROCUREMENT AGENT MAY PROCURE AND CONTRACT FOR SUPPLIES AND SERVICES WITHOUT COMPLIANCE WITH THE PROCEDURES SET FORTH IN THIS SECTION WHEN THERE HAS BEEN A DETERMINATION THAT AN EMERGENCY PURCHASE IS NECESSARY. THE PROCUREMENT AGENT SHALL BE RESPONSIBLE FOR DETERMINING THE VALIDITY OF ALL EMERGENCY PURCHASE REQUESTS. A COMPLETE WRITTEN EXPLANATION SHALL BE PROVIDED TO THE COUNCIL AS SOON AS REASONABLY PRACTICAL AFTER THE EMERGENCY PURCHASE.
7. USED EQUIPMENT. PURCHASES OF USED EQUIPMENT AND NON-DURABLE PURCHASES SUCH AS FUEL AND OIL ARE NOT SUBJECT TO THE BIDDING PROCEDURES APPLICABLE TO OTHER PURCHASES ON THE RECOMMENDATION OF THE PROCUREMENT AGENT AND APPROVAL OF THE COUNCIL.
- ~~H. Solicitation of bids for Category 4 contracts for services shall be made as for the solicitation of bids for Category 4 purchases or contracts for the purchase of goods except that entry into Category 4 contracts for services shall be by the Mayor or the Town Manager at the direction of the Common Council after consideration of the advice of the procurement agent concerning the advantages or disadvantages of contract and bid proposals.~~
- ~~I. Purchases of used equipment and non-durable purchases such as fuel and oil are not subject to the bidding procedures applicable to other purchases on the recommendation of the procurement agent and approval of the Council.~~
- F. NOTHING IN SUBSECTION E SHALL PRECLUDE THE TOWN FROM SOLICITING BIDS OR PROPOSALS FOR THE PROCUREMENT LISTED IN SUBSECTION E IF THE PURCHASING AGENT OR COUNCIL DEEMS IT TO BE IN THE BEST INTEREST OF THE TOWN TO DO SO.
- G. PROPOSED PURCHASES OF MULTIPLE ITEMS SHALL NOT BE SEGREGATED FOR THE PURPOSE OF AVOIDING THE REQUIREMENTS OF THIS SECTION.

SECTION 3-4-3 EXCLUSIVE SERVICE

~~IN THE EVENT THAT THERE IS ONLY ONE FIRM OR COMPANY OR INDIVIDUAL CAPABLE OF PROVIDING A PARTICULAR SERVICE OR COMMODITY AND SUCH SERVICES OR COMMODITIES CANNOT BE SECURED FROM OTHER PERSONS OR COMPANIES, SECTION 3-4-2 SHALL NOT BE APPLICABLE, AND SUCH SERVICES OR COMMODITIES CAN BE SECURED WITHOUT BIDDING.~~ [

SECTION 3-4-3 AWARD BY COUNCIL

NO CONTRACT OF \$8,000 OR MORE SHALL BE LET EXCEPT BY THE COUNCIL. WHENEVER ANY CONTEMPLATED PURCHASE OR COMMODITIES OR CONTRACT FOR SERVICES IS FOR THE SUM OF \$8,000 OR MORE, THE PURCHASING AGENT SHALL PRESENT THE BIDS TO THE COUNCIL FOR APPROVAL, AND ADVISE THE COUNCIL OF THE ADVANTAGES OR DISADVANTAGES OF THE CONTRACT AND BID.

Section 3-4-4 Bidding

- A. The procurement agent and all parties contracting with the town shall follow the procedure set forth in this section in relation to all bids required under Section 3-4-2. All notices and solicitation of bids shall state the time and place for opening.
- B. All bids shall be submitted sealed to the procurement agent and shall be identified as bids on the envelope.
- C. All bids shall be opened in public at the time and place stated in the public notice.
- D. A tabulation of all bids received shall be posted in the Town Hall for public inspection.
- E. The procurement agent or the Common Council, as appropriate, shall have the authority to reject any and all bids and parts of all bids and re-advertise or re-solicit bids.

Section 3-4-5 Determination of Lowest Responsible Bidder

Unless the Common Council or procurement agent exercises the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for the entire purchase or contract or for any part thereof. In determining the lowest responsible bidder, the Common Council and/or the procurement agent shall consider:

- A. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
- B. Whether the bidder can perform the contract or provide the services promptly or within the specified time, without delay or interference.

- C. The quality of performance of previous contracts.
- D. The previous and existing compliance by the bidder with procurement requirements and laws and ordinances of the town.
- E. The financial resources and ability of the bidder to perform the contract.
- F. The quality, availability and adaptability of the supplies or services.

Section 3-4-6 Performance Bond

The procurement agent shall have the authority to require a performance bond, in cash or otherwise, for such amount as he may deem sufficient to secure the execution of the contract for the best interest of the town.

~~Section 3-4-7 Emergency Purchases~~

~~In case of an emergency which requires immediate purchases of supplies or services and when time is of the essence, the Town Manager shall be empowered to authorize the procurement agent with the Common Council at a regular meeting not more than thirty (30) days following the procurement.~~

Section 3-4-87 Forms

The procurement agent shall prescribe and maintain such forms as he shall find necessary for the operation of the provisions of this article.

~~Section 3-4-9 Professional Services~~

~~Unless required by the council, the bidding and other requirements of this article shall not apply to professional services. Such services shall include, but not be limited to, the following: physicians, attorneys, engineers and similar professions.~~

~~Section 3-4-10 Cooperative Purchasing~~

~~This article shall not apply to purchases made by, through or with the State of Arizona or its political subdivisions. The town may make purchase or award contracts for services without a formal bidding process whenever other governmental units have done so for the same item or service if, in the opinion of the procurement agent, a separate bidding process is not likely to result in a lower price for such items or service.~~

SECTION 3-4-8 CHANGE ORDERS

- A. CHANGE ORDERS, INCLUDING CHANGE ORDERS FOR CONSTRUCTION PROJECTS, THAT DO NOT INCREASE THE CONTRACT AMOUNT MAY BE APPROVED AND EXECUTED BY THE PROCUREMENT AGENT.

- B. CHANGE ORDERS, INCLUDING CHANGE ORDERS FOR CONSTRUCTION PROJECTS, THAT INCREASE THE CONTRACT AMOUNT MAY BE APPROVED AND EXECUTED BY THE PROCUREMENT AGENT IF THE TOTAL OF ALL CHANGE ORDERS FOR THE CONTRACT DOES NOT EXCEED THE LESSER OF TEN PERCENT OF THE ORIGINAL CONTRACT AMOUNT OR \$8,000.00.

SECTION 3-4-9 UNAUTHORIZED PURCHASES

NO TOWN EMPLOYEE SHALL ORDER THE PURCHASE OF SUPPLIES OR SERVICES OR MAKE CONTRACTS ON BEHALF OF THE TOWN OTHER THAN THROUGH THE PROCEDURES SET FORTH IN THIS ARTICLE AND THE TOWN SHALL NOT BE BOUND HEREBY; PROVIDED THAT EXCEPTIONS MAY BE MADE FOR EMERGENCY TRAVEL.

ARTICLE 3-5 OFFICE OF ZONING ADMINISTRATOR

Section 3-5-2 Appointment of ZONING Administrator

The zoning administrator shall be appointed by the TOWN MANAGER WITH THE CONCURRENCE OF THE Council. THE ZONING ADMINISTRATOR ~~and~~ may be the town manager, town clerk or any other individual appointed by the Council, which the Council finds to be qualified to hold said position.

Section ~~3-5-2~~ 3-5-3 DUTIES OF ~~Appointment of~~ ZONING Administrator

It shall also be the duty of the zoning administrator to make recommendations to the planning and zoning commission as to zoning changes that are necessary in the town, and, upon the filing of an application with the zoning commission for a change of zoning, the zoning administrator shall ~~hold a hearing after giving the same notice that it requires for a regular planning and zoning commission meeting prior to making said~~ recommendations. ~~After holding a public hearing, the zoning administrator shall make~~ his recommendations, in writing, REGARDING THE APPLICATION, citing the facts upon which he relies in making his decisions. THE ZONING ADMINISTRATOR ~~and~~ shall submit his recommendations to the planning and zoning commission prior to the planning and zoning commission ~~holding any hearings which deal with the rezoning of~~ any parcel of property within the town.