

**CITY OF LAKEVIEW
BAXTER COUNTY ARKANSAS
ORDINANCE 12-05**

AN ORDINANCE TO REPEAL ORDINANCE 10-08 COVERING MAYOR SPENDING LIMITS AND AMEND PORTIONS OF ORDINANCE 10-09 COVERING PROCUREMENT PROCEDURES FOR THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS.

WHEREAS, A.C.A 14-58-303, purchases and contracts generally, provide process and procedures to be followed for the procurement of goods, and services, and

WHEREAS, Ordinances referenced above may be in conflict with said statutes,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakeview, Baxter County, Arkansas:

SECTION I – AUTHORITY FOR PURCHASES

- A. A.C.A. 14-58-303(a) states “In a city of the first class, city of the second class, or incorporated town, the mayor or the mayor’s duly authorized representative shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for public purposes in and for the city and to make all necessary contracts for work or labor to be done or material or other necessary thing to be furnished for the benefit of the city, or in carrying out any work or undertaking of a public nature in the city.
- B. As such, Ordinance 10-08 is found to be in conflict with said statute and is herewith repealed.

SECTION II- PROCUREMENT PROCEDURES *(Repealed by 21-03)*

- A. Ordinance 10-09 Section I (A) is repealed and recreated to read as follows: Purchases less than \$5,000.00 shall be done by obtaining prices through catalog/internet, phone solicitation, etc.
- B. Ordinance 10-09 Sections V & VI are repealed and recreated as Sections VI & VII respectively
- C. Ordinance 10-09 Section V is recreated to read:
 - 1. Appropriations for expenditures are approved by the City Council as provided under A.C.A. 14-58-303(a).
 - 2. Appropriations may also be altered by the City Council as provided under A.C.A. 14-58-303(b).
 - 3. The Lakeview City Council recognizes and acknowledges that budgets for any given year are a fluid document, knowing that overages and deficits can occur. For this reason the Lakeview City Council grants authority to the Mayor to exceed expenditures per budget line item as approved, as long as
 - a. Overage per line item does not exceed \$750.00 of the original budgeted amount.
 - b. That the overage does not adversely affect the total expenditures by department, i.e., administrative, police, etc.
 - c. Discretion must be exercised by the Mayor to insure that items causing the potential budget overage that may be construed as controversial in nature are brought to the attention of the Council prior to the actual encumbrance of the funds.

SECTION III - SEVERABILITY – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

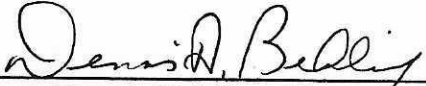
SECTION IV- EMERGENCY CLAUSE- This ordinance being necessary to insure compliance with terms, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its adoption.

PASSED, ADOPTED AND APPROVED this 18th day of September, 2012 by the Lakeview City Council comprised of Ken Fortier, Joe Gies, Wade Robson, Bea Crites and Bill Svehla on motion by Bill Svehla seconded by Ken Fortier with a roll call vote of 5 Yeas and 0 Nays.

Attest:



Rebecca Barton, Recorder/Treasurer



Dennis Behling, Mayor