



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Minutes Finance and Personnel Committee

*Chairman James T. Spangenberg
Vice Chair Q.A. Shakoor, II
Alderman Ronald Hart
Alderman Terry McCarthy
Alderman Dennis Wiser*

Monday, July 12, 2010

5:00 PM

City Hall, Room 301

Call to Order and Roll Call

PRESENT: 5 - James T. Spangenberg, Q.A. Shakoor, II, Ronald D. Hart, Terry McCarthy and Dennis Wiser

Approval of Minutes for the June 21, 2010 meeting. to Approve the Minutes

1. [10-5302](#)

Subject: Communication from Greater St. Luke's Baptist Church requesting waiver of fees for North Beach Park for their Belle City Backyard BBQ event on August 14 & 15, 2010.

Recommendation of the Finance & Personnel Committee on 7-12-10: Item to be received and file because there is an existing policy for charities and nonprofit organizations to have lower rates.

Fiscal Note: N/A

Attachments: [St Lukes Baptist Church-Belle City Backyard BBQ-North Beach-August 14 &](#)

Alderman McCarthy is on the Park & Recreation board. He stated there is already an existing policy where there is discounted rates for charities and nonprofit organizations and recommends the item to be received and filed.

Recommended to be Received and Filed

2. [10-5318](#)

Subject: Communication from the Public Health Administrator requesting to accept funding in the amount of \$7,948 from the State of Wisconsin, Department of Natural Resources for beach monitoring. (Grant Control No. 2010-026)

Recommendation of the Finance & Personnel Committee on 7-12-10: The Mayor and City Clerk be authorized and directed to enter into a \$7,948 grant agreement with the State of Wisconsin, Department of Natural Resources (Grant Control No. 2010-026) to be utilized for beach monitoring.

Fiscal Note: No match required on the part of the City.

Attachments: [DNR Beach Monitoring 2010.pdf](#)

Chairman Spangenberg stated the Public Health Administrator has already appeared before the Committee to apply for and now the communication is to accept the funds. His recommendation was to approve.

Recommended For Approval

3. [10-5297](#)

Subject: Communication from Police Chief requesting to apply for 2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025).

Recommendation of the Finance & Personnel Committee on

7-12-10: Permission be granted for the Chief of Police to apply for the 2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025) to be utilized for five (5) gun sights and mounts for SWAT weapons.

Recommendation to the Public Safety and Licensing Committee

on 7-12-10: That permission be granted for the Chief of Police to apply for the 2010 SPA-NTOA Trijicon Grant (Grant Control No. 2010-025) to be utilized for five (5) gun sights and mounts for SWAT weapons.

Fiscal Note: No match required on the part of the City.

Attachments: [leg i d 10-5297 001](#)

David Brown, Finance Director, stated that Trijicon is a brand of gun sight. The Police Chief is requesting 5 gun sights and mounts for the SWAT weapons.

Recommended For Approval

4. [10-5347](#)

Subject: Ordinance No. 11-10 to amend Sec. 46-28 of the Municipal Code of the City of Racine, Wisconsin relating to purchases over \$25,000; advertising for bids, and to create Sec. 46-39 of the Municipal Code of the City of Racine, Wisconsin relating to procurement of professional services.

Recommendation of the Finance & Personnel Committee on

7-12-10: To adopt Ordinance No. 11-10.

Fiscal Note: N/A

Alderman McCarthy stated the update was the purchasing policy regarding bidding of purchases over \$25,000 accept under certain conditions. The question was on the certain condition. The update will have the Department Head, City Administrator and the Finance Director overlooking the bids that are exempted for professional services.

Recommended For Approval

5. [Ord.11-10](#)

Ordinance No. 11-10

To amend Sec. 46-28 of the Municipal Code of the City of Racine, Wisconsin

relating to Purchases over \$25,000; advertising for bids, and to create Sec. 46-39 of the Municipal Code of the City of Racine, Wisconsin relating to Procurement of Professional Services.

The Common Council of the City of Racine do ordain as follows:

Part 1:

Sec. 46-28 of the Municipal Code of the City of Racine is hereby amended by deleting in the first sentence “, excepting” and replacing with “other than”; by deleting in the second sentence the word “for.” and by adding the following sentence at the end of the paragraph: “Participation in a bidding process for the same or similar items in association with other governmental units fulfills the bidding requirement.”

Sec. 46-28. Purchases over \$25,000.00; advertising for bids.

(a) Bids shall be required for every purchase of materials, supplies, equipment or contractual services other than professional services, the estimated cost of which exceeds \$25,000.00. Bids shall be advertised in the manner provided in Wis. Stats. § 62.15, except that the notice shall be published not less than twice and bids shall be received not less than ten days after first publication. Participation in a bidding process for the same or similar items in association with other governmental units fulfills the bidding requirement.

Advertisement for bids shall not be required for any purchase, the estimated cost of which does not exceed \$25,000.00, but in such case the purchasing agent shall secure and record at least three informal bids, if practicable.

If the estimated cost of public construction exceeds \$5,000.00 but is not greater than \$25,000.00, the purchasing agent shall publish one notice of the proposed construction before a contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers.

The common council may, by resolution, dispense with the requirement of advertising for bids in any particular case.

(b) A summary of the bids received for each item listing the name of each bidder and a copy of his bid shall be submitted to the appropriate committee of the common council for its recommendation to the common council. The adoption of the committee report by the common council shall constitute the final action of the council upon the bids and shall authorize the purchasing agent to issue a purchase order, countersigned by the finance director as to availability of funds, for the purchase of the items on which such bids were received.

Part 2:

Sec. 46-39 of the Municipal Code of the City of Racine is hereby created to read as follows:

“Sec.46-39. Procurement of Professional Services.

The City may contract for the procurement of professional services.

(a) Definition. For the purposes of this section, “professional services” means services that are intellectual in character, including consultation, analysis, evaluation, prediction, planning, programming, or recommendation, and result in the production of a report or the completion of a task.

Such services include, but are not restricted to, services of the type required or permitted to be furnished by a professional under a license, registration or certificate issued by the State of Wisconsin to practice architecture, engineering, surveying, landscape architecture, geoscience, certified interior design, medicine and surgery, chiropractic, optometry, psychology, dentistry, dental hygiene, accountancy or law, or under a license or certificate issued by another state under similar laws.

(b) Council approval. Except as otherwise directed by the Common Council, contracts for the purchase of professional services may be entered into without Council resolution when all of the following conditions are met:

1. The funds for the services are included in the approved City budget.
2. The City has engaged in a competitive selection process for professional services (or in the case of the Water and Wastewater utilities, secs. 62.15 and Chapter 200, Wis. Stats., and secs. 46-36 and 46-38 of the Code of Ordinances) or the contract is exempt from such a requirement pursuant to sub. (c) of this ordinance.
3. The contract complies with other laws, resolutions and ordinances.
4. The contract is for a period of one year or less, or the contract is for a period of more than one year but not more than three years and the cost of the professional services does not average more than \$50,000 per year of the contract, provided that this subparagraph is subject to sub. (c) 2. of this ordinance for non-competitive contracts.

(c) Exceptions to Selection Process. The City may enter into negotiated contracts for professional services without a competitive selection process for the procurement of professional services if the following are met:

1. One or more of the following criteria are present as found by the Purchasing Agent or appropriate Department Head:

- a. Public exigency will not permit the delay incident to advertising or other competitive processes;
 - b. The service required is available from only one person or firm;
 - c. The services are for professional services to be provided by attorneys who charge on an hourly basis or who are approved by CVMIC or the City's liability insurance carriers. In all other matters, where the aggregate legal fees exceed \$50,000, the City Attorney shall notify the Common Council of the status and seek approval for further expenditures.
 - d. No acceptable bids have been received after formal advertising;
 - e. Service fees are established by law or professional code;
 - f. A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant;
 - g. The contract is for \$25,000 or less; or
 - h. Otherwise authorized by law, rule, resolution, or regulation.
2. In the case of sole source, public exigency or previous provider exemptions, the department head or purchasing agent shall fill out the City's approved form for such and file it with the finance director and city administrator.
- If the aggregate amount of the fee for services will exceed twenty-five thousand dollars (\$25,000) and the contract was not subject to a competitive selection process, the contract shall meet one of the requirements of sub. (c) 1. and be approved by the Common Council by resolution."

Part 3:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved: _____

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Attachments: [instructions.pdf](#)
[form for ps.pdf](#)

CLOSED SESSION

IT IS INTENDED THAT THE FINANCE & PERSONNEL COMMITTEE WILL CONVEENE IN CLOSED SESSION PURSUANT TO WISCONSIN STATUTES §19.85(1)(e), TO DELIBERATE OR NEGOTIATE REGARDING THE PURCHASE OF PUBLIC PROPERTY BECAUSE COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION.

A motion was made by Alderman Shakoor and seconded by Alderman Hart that the Committee be convened in closed session pursuant to sec. 19.85(1)(e) of the Wisconsin Statutes to deliberate or negotiate regarding the purchase of public property because competitive or bargaining reasons require a closed session.

Roll call vote taken: Ayes: Spangenberg, Shakoor, Hart, McCarthy and Wiser
Notes: None
Abstain: None

The Chairman then announced that the Committee would convene in closed session for the reason stated in the motion and pursuant to Wisconsin Statute 19.85(1)(e) at 5:16 p.m.

Also present: Brian O'Connell, Director of City Development

6. [10-5335](#) **Subject:** Communication from the Director of City Development requesting the City provide financial assistance to Human Capital Development Corporation/First Choice Pre-Apprenticeship Training for the purchase of property.

Recommendation of the Finance & Personnel Committee on 7-12-10: Item to be received and filed.

Fiscal Note: N/A

Attachments: [Financial Assistance to Human Capital](#)

Recommended to be Received and Filed

Adjournment

There being no further business to come before the Committee, the meeting adjourned at 5:25 p.m. The next currently scheduled meeting of this Committee is at 5:00 p.m. on Monday, July 26, 2010 in City Hall, Room 301.