

ORDINANCE NO. 52-2008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING ELK GROVE MUNICIPAL CODE CHAPTER 3.42 - CONTRACTS AND PURCHASING TO ADD AN EXEMPTION FROM COMPETITIVE BIDDING FOR INTERNSHIP PROGRAMS

The City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The City Council hereby adds various sections to Chapter 3.42 of the Elk Grove Municipal Code amending the Contracts and Purchasing ordinance by adding provisions that allow the City to contract with colleges and universities, including related non-profits, which provide intern services, without first engaging in the competitive bid process. The spending authority provisions in Chapter 3.42 shall not be affected by this amendment. The City Council enacts this ordinance pursuant to the grant of power to cities under the authority of Article XI, section 7 of the California Constitution.

NOW THEREFORE, it is the intent of the City Council in enacting this ordinance to provide for the public health, safety, and welfare by encouraging the use of interns in the City, which affords students with an opportunity to gain local government work experience and by affirming and promoting the importance of higher education in the City of Elk Grove.

Section 2:

Section 3.42.030 of the Elk Grove Municipal Code is hereby amended to add the following:

(1)(1) "Intern" means any part-time or full-time student currently enrolled in any curriculum at a college, university, trade school, or other technical or certificate program in fields relevant to the business of the City.

(2) "Internship Program" means any college, university, trade school, or other technical or certificate program that provides an intern(s) to the City. "Internship Program" shall also include any non-profit corporation affiliated with any college, university, trade school, or other technical or certificate program that recruits, screens, hires and compensates interns.

Section 3:

Section 3.42.170(B) of the Elk Grove Municipal Code is hereby amended to add the following:

(5) When an intern is provided to the City through an Internship Program, which has been reviewed and approved in writing by the City Manager.

Section 4: No Mandatory Duty of Care

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council declares that it would have adopted this ordinance irrespective of the invalidity to any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

ORDINANCE: 52-2008
INTRODUCED: October 22, 2008
ADOPTED: November 12, 2008
EFFECTIVE: December 12, 2008



 GARY DAVIS, MAYOR of the
 CITY OF ELK GROVE

ATTEST:



 SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



 SUSAN COCHRAN, CITY ATTORNEY

Date signed: November 21, 2008

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 52-2008**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on October 22, 2008 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on November 12, 2008 by the following vote:


AYES : COUNCILMEMBERS: *Davis, Hume, Cooper, Leary, Scherman*

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*

A summary of the ordinance was published pursuant to GC 36933(c) (1).



***Susan J. Blackston, City Clerk
City of Elk Grove, California***