

1 **CITY OF HYATTSVILLE, MARYLAND**

2 **CHARTER AMENDMENT RESOLUTION No. 2024 - 01**

3 **A Resolution Amending the Charter to Modernize the City's**
4 **Procurement Provisions by Placing the Requirements for**
5 **Council Oversight in the City's Code and by Placing Aspects of**
6 **the Procurement Process in the City's Code, and Inserting**
7 **Language Requiring the City Administrator to Sign all**
8 **Contracts in Accordance with the City Code.**
9

10 **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF**
11 **HYATTSVILLE, MARYLAND**, adopted pursuant to the authority of Article XI-E of the
12 Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated
13 Code of Maryland (as amended), to amend the Charter of the said City, said Charter being a part
14 of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole
15 or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council
16 seek to amend the City Charter to modernize the City's procurement provisions.

17 **WHEREAS**, the Mayor and City Council have determined that the City's procurement
18 provisions are in need of modernization; and
19

20 **WHEREAS**, the Mayor and City Council have determined that the City's approach to
21 procurement would be better served by placing the requirements for Council oversight in the City's
22 Code and placing certain procurement requirements in the Code; and
23

24 **WHEREAS**, the City Council gave at least twenty-one (21) days advance notice of the
25 public hearing held regarding adoption of this Resolution and the amendment to the Charter
26 contained herein.
27

28 **NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City
29 of Hyattsville, Maryland, in regular session assembled:

30 **Section 1:** That Article II, § C5-21 of the Charter of the City of Hyattsville, Maryland, be
31 amended as follows:

32 **§ C5-21 Bids and contracts.**
33

34 A. All purchases and contracts for the City of Hyattsville shall be made ~~by the City Council~~
35 in accordance with a ~~the City's Code. policy adopted by the Council. All expenditures for supplies,~~
36 ~~materials, equipment, construction of public improvements or contractual service involving more~~
37 ~~than ten thousand dollars (\$10,000.00) shall be made on written contract, and the City Council~~
38 ~~shall advertise for sealed bids for all such contracts by publishing notice thereof twice in a~~
39 ~~newspaper of general circulation in the City. Such written contracts shall be awarded to the bidder~~
40 ~~who offers the lowest or best bid, quality of goods and work, time of delivery or completion and~~
41 ~~responsibility of bidders being considered. All such written contracts shall be approved by the City~~
42 ~~Council before becoming effective. The City Council, upon written justification, may reject all~~
43 ~~bids and readvertise. The City Council at any time, in its discretion, may employ its own forces~~

1 ~~for the construction or reconstruction of public improvements without advertising or readvertising~~
2 ~~for or receiving bids. All written contracts may be protected by such bonds, penalties and~~
3 ~~conditions as the City Council may require.~~

4
5 B. The City Administrator shall sign all City contracts in accordance with the City Code.
6

7 ~~The City Council may enter into a contract for the procurement of supplies, materials, equipment,~~
8 ~~construction of public improvements or contractual service involving more than ten thousand~~
9 ~~dollars (\$10,000.00) without utilizing the bid process set forth herein if it determines that the~~
10 ~~supplies, materials, equipment, construction of public improvements or contractual service sought~~
11 ~~are only available from a single source and such procurement is in the best interest of the City.~~
12

13 * * *

14
15 **Section 2:** That Article VI, § C6-2 of the Charter of the City of Hyattsville, Maryland, be
16 amended as follows:

- 17 A. General powers. The City Council shall appoint a City Administrator, who shall serve at
18 the pleasure of the City Council, unless other written terms are agreed to by the City, and
19 who shall be responsible for the proper administration of all day-to-day affairs of the City.
20 The City Administrator shall be vested with the powers and authority necessary to perform
21 such duties, except where they may be inconsistent with other provisions of this Charter.
22 The City Administrator shall have general administrative supervision of the departments
23 of the City and the authority, through the Department Directors to direct the proper
24 execution of this Charter, the City Code and such resolutions, regulations and policies as
25 the Council shall adopt. In addition, the City Administrator shall perform such other duties
26 as the Council may lawfully require.
- 27 B. Specific duties and responsibilities. The duties and responsibilities of the City
28 Administrator include the following under the supervision of the Mayor and City Council.
29 The City Administrator, unless otherwise directed, shall:
- 30 (1) Organize, direct and supervise the administration of all departments, offices and
31 agencies of the City.
- 32 (2) Hire, direct, advise, discipline and terminate the Department Directors, as well as hire
33 and when in the best interest of the City, discipline, demote, dismiss, suspend or remove
34 any City employee pursuant to this Charter, the Code and/or the Personnel Regulations
35 of the City. The City Administrator may authorize any Department Director to exercise
36 these powers with respect to subordinates in their department as provided for in the
37 personnel rules of the City. The City Administrator shall regularly and promptly inform
38 the City Council of the hiring, discipline or termination of any Department Director.
- 39 (3) See that all laws, provisions of the City Charter and acts of the City Council are
40 faithfully executed.

- (4) Prepare and submit to the City Council, ordinarily by the first meeting in April of each year and no later than sixty (60) days before the beginning of the fiscal year, a proposed budget for the City, the same to include both revenue and expenditure estimates for the coming fiscal year.
- (5) Attend all public meetings of the City Council and shall have the right to participate in discussion at such meetings.
- (6) Arrange for the taking of minutes of all City Council meetings and keep a full and accurate account of the proceedings of the City Council.
- (7) Undertake such research and make reports and recommendations as the City Council may direct or which the City Administrator may deem desirable and in the best interests of the City of Hyattsville.
- (8) Keep the City Council fully informed as to the financial condition and future needs of the City and submit to the City Council an annual report on the finances and administrative activities of the City at the end of each fiscal year.
- (9) Purchase materials, equipment, supplies and services when not in excess of the dollar amount prescribed by the City Council and, in accordance with the City Code, enter into contracts necessary for the operation and maintenance of the City.
- (10) Ascertain that all taxable property within the City is assessed for taxation.
- (11) Collect all taxes, special assessments, license fees, liens and all other revenues, including utility revenues, of the City and all other revenues for whose collection the City is responsible and receive any funds receivable by the City.
- (12) Have custody of all public moneys belonging to or under the control of the City, except as to funds in the control of any set of trustees and have custody of all bonds and notes of the City.
- (13) Do such other things in relation to the fiscal or financial affairs of the City as the City Council directs.

* * *

Section 3: That the date of the adoption of this Resolution is _____, 2024, and that the amendment to the Charter of the City of Hyattsville hereby proposed by this enactment shall become effective on _____, 2024 (50 days after its passage), unless a proper petition for a referendum hereon shall be filed by _____, 2024 (40 days after passage) and that an exact copy of this Resolution shall be posted at the main municipal building and a fair summary of the Amendment shall be published in a newspaper having general circulation in the City of Hyattsville not less than four (4) times at weekly intervals within forty (40) days after passage of this Charter Amendment Resolution.

Section 4: That as soon as the Charter Amendment hereby enacted becomes effective, either as herein provided or following a referendum, the Clerk shall send separately to the Department of Legislative Services, the following information concerning the Charter Amendment: (1) the complete text of this Resolution; (2) the date of referendum election, if any,

1 held with respect thereto; (3) the number of votes cast for and against this Resolution by the Mayor
2 and City Council of the City of Hyattsville or in a referendum; and (4) the effective date of the
3 Charter Amendment.

4 **Section 5:** That the Clerk be, and is specifically enjoined and instructed to carry out the
5 provisions of Sections 2 and 3, and as evidence of compliance herewith the said Clerk shall cause
6 to be affixed to the Minutes of this meeting (1) an appropriate certificate of publication of the
7 newspaper in which the fair summary of the Amendment shall have been published; and (2)
8 records of mailing referred to in Section 3, and shall further complete and execute a Certificate of
9 Compliance.

10 **INTRODUCED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
11 Regular Meeting on _____, 2024, at which meeting copies were available to the public for
12 inspection, and at which time a public hearing took place.

13 **ADOPTED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
14 Regular Meeting on _____, 2024, at which meeting copies were available to the public for
15 inspection.

16
APPROVED:

City of Hyattsville, Maryland:

Date

Robert S. Croslin, Mayor

ATTEST/WITNESS:

City of Hyattsville, Maryland:

Date

Laura Reams
City Clerk

17
18
19 {} indicate deletions

20 Underline// indicate additions/amendments to additions