

ORDINANCE NO. 1250

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA, AMENDING THE CODE OF THE TOWN OF WICKENBURG, ARIZONA, CHAPTER 4 – ADMINISTRATION, ARTICLE 4-4 PURCHASING, BY AMENDING SECTION 4-4-8 (C) QUOTATION OR BID REQUIREMENTS RELATED TO REQUESTS OF \$50,000 AND ABOVE IN ONE TRANSACTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

WHEREAS, the Common Council of the Town of Wickenburg desires to support programs and services that promote the health, safety, and welfare of Town residents through partnerships with non-profit organizations; and

WHEREAS, the Arizona Constitution prohibits the use of public funds as gifts or subsidies to private entities, and requires that any disbursement of public funds results in a direct public benefit and return of value to the Town in compliance with the Arizona Gift Clause; and

WHEREAS, the Common Council of the Town of Wickenburg finds it necessary to establish clear procedures for evaluating and approving funding requests from non-profit organizations;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona, as follows:

Section 1. In General.

The Code of Wickenburg, Chapter 4 Administration, Article 4-4 Purchasing, Section 4-4-8 (C) Quotation or Bid Requirements is amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

- C. Sole source procurement should be avoided when possible by using generic specifications rather than name brand only specifications. Name brand only specifications can usually be multi-quoted or bid by using multiple distributors. When only one vendor sells the name brand only material or service a letter from the manufacturer or service provider indicating the sole vendor is required. A purchase from a sole source supplier of goods and services may be made without receiving quotations or competitive bids. The requesting Department Director shall submit a memorandum explaining the sole source request along with the manufacturer or service provider letter, to the Town Manager for approval. The requesting Director must demonstrate that there was a serious, diligent effort to identify potential sources and/or test alternatives available. Requests OF \$50,000 and above IN ANY ONE TRANSACTION EXCEPT FOR ITEMS SPECIFIED IN SECTION 4-4-6 (EMERGENCY EXPENDITURES) ~~also~~

require Council approval. Once approved by Council, the Department Director may proceed with the regular purchase procedure.

Section II. Repeal of Conflicting Ordinance.

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 Wickenburg, Arizona, this 1st day of June 2026.



BG Bratcher, Mayor

ATTEST:



Amy Brown, Town Clerk

APPROVED AS TO FORM:



Trish Stuhan, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present: 6
Number of Votes For: 6
Number of Votes Against: 0
Number of Abstentions: 0

I, Amy Brown, Town Clerk, HEREBY CERTIFY that a true and correct copy of Ordinance No. 1250 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, on this 1st day of June 2026, and that a quorum was present at the meeting.



Amy Brown, MMC
Town Clerk