

1 **CHARTER AMENDMENT ORDINANCE**

2 **CA-2026-01**

3 **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY**
4 **OF DALLAS, GEORGIA, TO AMEND THE CHARTER OF THE**
5 **CITY OF DALLAS, GEORGIA, RELATING TO PROCUREMENT**
6 **AND CONTRACT MANAGEMENT AUTHORITY; TO AMEND**
7 **SECTION 3.10 REGARDING CITY MANAGER ADMINISTRATIVE**
8 **RESPONSIBILITY AND CONTRACT EXECUTION AUTHORITY;**
9 **TO AMEND SECTION 6.26 REGARDING CONTRACTING**
10 **PROCEDURES AND APPROVAL THRESHOLDS; TO AMEND**
11 **SECTION 6.27 TO MANDATE CENTRALIZED PURCHASING**
12 **PROCEDURES; TO ALIGN CHARTER PROVISIONS WITH**
13 **MODERNIZED PROCUREMENT PRACTICES AND**
14 **CONTEMPORARY PURCHASING THRESHOLDS; TO PROVIDE**
15 **FOR SEVERABILITY; TO REPEAL CONFLICTING CHARTER**
16 **PROVISIONS; AND FOR OTHER LAWFUL PURPOSES.**

17 **WHEREAS**, the Mayor and Council of the City of Dallas, Georgia, are authorized
18 pursuant to Article IX, Section II, Paragraph II of the Constitution of the
19 State of Georgia and O.C.G.A. § 36-35-3 to amend the City Charter by
20 ordinance duly adopted at two regular consecutive meetings of the
21 governing authority; and

22 **WHEREAS**, the existing Charter provisions governing City Manager contract authority
23 and contracting procedures contain inconsistent dollar thresholds that
24 create operational confusion and limit efficient procurement; and

25 **WHEREAS**, Section 3.10(b) of the Charter currently requires City Council approval
26 for contracts exceeding Ten Thousand Dollars (\$10,000), while Section
27 6.26 requires Council approval for contracts exceeding Two Thousand
28 Five Hundred Dollars (\$2,500), creating direct conflict; and

29 **WHEREAS**, these outdated thresholds have not been adjusted for inflation or modern
30 procurement practices and are inconsistent with contemporary municipal
31 purchasing standards; and

32 **WHEREAS**, the City Council has adopted comprehensive procurement procedures by
33 ordinance that establish purchasing thresholds, approval authority, and
34 competitive procurement requirements; and

35 **WHEREAS**, alignment of Charter provisions with the City's procurement ordinance
36 will eliminate conflicts, promote efficient administration, and ensure
37 proper fiscal controls; and

38 **WHEREAS**, the proposed amendments establish clear Council approval thresholds at
39 One Hundred Thousand Dollars (\$100,000) for annual contract value and
40 for multi-year contracts, while maintaining appropriate legal review and
41 financial oversight; and

42 **WHEREAS**, the Mayor and Council find that these Charter amendments serve the
43 public interest and promote responsible stewardship of taxpayer resources;
44

45 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF**
46 **THE CITY OF DALLAS, GEORGIA:**

47
48 **SECTION I – AMENDMENT TO SECTION 3.10 OF THE CITY CHARTER.**

49
50 Section 3.10 of the Charter of the City of Dallas, Georgia, is amended by deleting said
51 section in its entirety and substituting in lieu thereof a new Section 3.10 to read as
52 follows:

53 "Sec. 3.10. Administrative responsibility; powers.

54 (a) Except as otherwise provided in this Charter, all administrative functions shall be
55 vested in the City Manager. The Mayor and City Council shall deal solely through the
56 City Manager with the administrative services, and the departments, agencies, and
57 functions committed to him or her by this Charter, and no orders shall be given by the
58 Mayor or City Council members to any subordinates of the City Manager either
59 publicly or privately or directly or indirectly.

60 (b) The City Manager is authorized and empowered to make and execute contracts
61 within the scope of his or her duties as defined by this Charter and applicable
62 ordinances; provided, however, that any contract must be approved by the Mayor and
63 City Council in the following circumstances:

64 (1) Any purchase or contract with an annual value of one hundred thousand
65 dollars (\$100,000) or more;

66 (2) Any contract exceeding one fiscal year in duration, including all renewal
67 options and extensions, regardless of annual value; provided, however, that
68 contracts with an aggregate total value under twenty-five thousand dollars
69 (\$25,000) and a duration under thirty-six (36) months are excluded from this
70 multi-year requirement; and

71 (3) Any other contract designated by the City Manager or City Council as
72 requiring Council approval due to policy significance, public interest, or unusual
73 risk profile.

74 (c) Employment contracts for City employees appointed by the Mayor and City Council
75 are exempt from subsection (b) and shall be governed by applicable personnel policies
76 and Charter provisions.

77 (d) All disbursements of the City exceeding \$25,000 shall require dual signatures by the
78 City Manager and either the Mayor or Finance Director. The City Council may establish
79 by ordinance additional dual signature requirements, authorization procedures, and
80 financial controls for disbursements."

81

82 **SECTION II - AMENDMENT TO SECTION 6.26 OF THE CITY CHARTER.**

83 Section 6.26 of the Charter of the City of Dallas, Georgia, is amended by deleting said
84 section in its entirety and substituting in lieu thereof a new Section 6.26 to read as
85 follows:

86 "Sec. 6.26. Contracting procedures.

87 (a) No contract with the City of Dallas shall be binding upon the City unless executed in
88 accordance with this Charter, applicable ordinances, and the following requirements:

89 (1) All contracts requiring City Council approval under Section 3.10(b) of this
90 Charter must be authorized by the City Council by resolution or ordinance and
91 such approval must be entered in the City Council minutes;

92 (2) All formal written contracts must be reviewed by the City Attorney as to
93 form and legal sufficiency prior to execution;

94 (3) The Finance Director must certify that adequate funds are legally available
95 and properly appropriated prior to execution of any contract or purchase order;
96 and

97 (4) All contracts must be executed by the City Manager or such other official as
98 authorized by this Charter or by ordinance.

99 (b) Formal written contracts are required for:

100 (1) All purchases of goods or services valued at fifty thousand dollars (\$50,000)
101 or more;

102 (2) All construction contracts regardless of amount;

103 (3) All professional services contracts regardless of amount;

104 (4) All contracts exceeding one fiscal year in duration regardless of amount; and

105 (5) Any purchase requiring insurance, bonding, indemnification, warranty, or
106 other risk-allocation provisions.

107 (c) Purchases not meeting the criteria in subsection (b) may be executed by purchase
108 order on forms approved by the City Manager, subject to procurement procedures
109 established by ordinance."

110

111 **SECTION III - AMENDMENT TO SECTION 6.27 OF THE CITY CHARTER.**

112 Section 6.27 of the Charter of the City of Dallas, Georgia, is amended by deleting said
113 section in its entirety and substituting in lieu thereof a new Section 6.27 to read as
114 follows:

115 "Sec. 6.27. Centralized purchasing.

116 (a) The City Council shall, by ordinance, establish a centralized system of procurement
117 and contract management for all purchases of goods, services, construction, and
118 professional services for the City.

119 (b) Such procurement ordinance shall establish purchasing thresholds, approval
120 authority, competitive procurement requirements, and administrative procedures
121 consistent with this Charter and applicable state and federal law.

122 (c) The City Manager shall serve as the chief procurement officer and shall have final
123 approval authority for all purchases and contracts, subject to City Council approval as
124 required by Section 3.10(b) of this Charter and applicable ordinances."

125

126 **SECTION IV - SEVERABILITY.**

127 If any section, subsection, sentence, clause, phrase, or portion of this ordinance is
128 declared invalid or unconstitutional by a court of competent jurisdiction, such
129 declaration shall not affect the validity of the remaining portions of this ordinance,
130 which shall remain in full force and effect. The Mayor and Council declare that they
131 would have adopted this ordinance and each section, subsection, sentence, clause,
132 phrase, and portion thereof, irrespective of the fact that any one or more sections,
133 subsections, sentences, clauses, phrases, or portions be declared invalid or
134 unconstitutional.

135

136 **SECTION V - REPEALER.**

137 All provisions of the Charter of the City of Dallas, Georgia, in conflict with this
138 ordinance are hereby repealed to the extent of such conflict.

139

140 **SECTION VI - EFFECTIVE DATE.**

141 This Charter amendment ordinance shall become effective July 1, 2026, to coincide
142 with the effective date of Purchasing Ordinance Amendment OA-2026-03 and the
143 commencement of Fiscal Year 2026-27. All City procurement and contracting activity
144 occurring on and after July 1, 2026 shall be governed by the amended Charter
145 provisions.

146

147 **SECTION VII - NOTICE AND PUBLICATION REQUIREMENTS.**

148 This Charter amendment ordinance is adopted pursuant to O.C.G.A. § 36-35-3(b)(1). A
149 synopsis of this proposed Charter amendment has been published in the official organ of
150 Paulding County once a week for three weeks within a period of sixty (60) days
151 preceding final adoption. A copy of this proposed Charter amendment has been on file
152 in the office of the City Clerk and in the office of the Clerk of the Superior Court of
153 Paulding County for examination and inspection by the public during the notice period.

FIRST READING: _____, 2026

SECOND READING AND ADOPTION: _____, 2026

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____,
2026.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

APPROVED AS TO FORM:

Darrin Keaton
City Attorney