

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, GRANTING THE AUTHORITY TO THE CITY MANAGER TO ENTER INTO AND SIGN CERTAIN CONTRACTS AND DOCUMENTS ON BEHALF OF THE CITY; TO ISSUE CERTAIN TYPES OF REFUNDS AND RECEIVE CERTAIN CONTRIBUTIONS; AND DELEGATING ADMINISTRATIVE AUTHORITY AND ANY ADDITIONAL POWERS OR DUTIES THAT THE CITY COUNCIL DEEMS PROPER FOR THE EFFICIENT ADMINISTRATION OF CITY AFFAIRS TO THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Section §4.03 of the City of Iowa Colony Charter the City Council ("Council") shall appoint a city manager that is responsible for administration of all the affairs of the City, and that performs duties as required by the City Council consistent with the Charter; and

WHEREAS, Texas Local Government Code §252.021 allows Council to delegate contracting authority; and

WHEREAS, the City Manager should be authorized to sign most of the City' s official documents, when necessary, as approved by the Council; and

WHEREAS, the City enters into many contracts, agreements, and similar documents that are routine in nature or are for certain categories or types of items that have already been approved through the budgeting process; and

WHEREAS, to efficiently administer the affairs or the City it is necessary for the Council to give the City Manager general authority to contract for expenditures without further approval of the Council for all budgeted items not exceeding limits set by the Council, to receive contributions, and to reject any and all bids in such cases as the City Manager is authorized to contract for the City; and

WHEREAS, the Mayor shall continue to sign the City' s ordinances, the resolutions of the Council, and the documents which he is obligated by state law to sign;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

SECTION 1. That the Council grants authority to the City Manager to sign on behalf of the City of Iowa Colony all lawful acts of the Council, as approved, other than the ordinances and resolutions of the Council, as permitted by law. This authority includes the approval of all procurement documents that require Council action and executing all contracts and agreements approved by Council. Subject to compliance with any state law that requires approval by Council, the City Manager is authorized to initiate and approve any purchase approved in the annual budget.

SECTION 2. That the Council hereby grants authority to the City Manager to enter into agreements and similar or related documents in connection with revenue generating contracts, contributions, or contracts relating to the provision of goods and services by persons or organizations to the City at no cost to the City.

SECTION 3. That the Council hereby delegates administrative authority and any additional powers or duties that the Council deems proper for the efficient administration of city affairs.

SECTION 4. That the authority granted to the City Manager herein with respect to signing or entering into any contracts shall also include the authority to terminate such contracts as permitted under the contract and to sign amendments to such contracts when the amount of the amendment when added to the original amount of the contract does not exceed \$50,000 or when the amount of the amendment does not exceed 25% of the original amount of the contract, whichever amount is less.

SECTION 5. That the Council hereby grants authority to the City Manager to sign and file liens arising from utility services provided by the city, and other liens in accordance with and permitted by law. This authority includes the power to release liens imposed by the City, in accordance with and as permitted by law, at such time as the City Manager determines that the liens have been satisfied.

SECTION 6. That the Council hereby gives the authority to the City Manager to authorize the issuance of a refund of an overpayment or erroneous payment made to the City unless state law requires the action of the Council to make a determination or finding with respect to the issuance of the refund.

SECTION 7. That the grant of authority made herein to the City Manager shall extend to identical matters that come before the City as they relate to City boards and commissions, and which are authorized or required by law.

SECTION 8. That this ordinance may not be construed to delegate authority to approve, without Council action, any contract, contract amendment, or other legal instrument that is required by state law to be approved by the Council.

SECTION 9. That this grant of authority to the City Manager shall be in addition to any authority granted to the City Manager to take such actions through other ordinances of the City, shall supersede and be controlling over any conflicting provision or procedure contained in any resolution or other ordinance previously adopted by the Council that required a contract to be approved by the Council, except as may be set forth in the Purchasing Policy approved by the Council.

SECTION 10. That nothing in this ordinance is intended to diminish or reduce any duties or authority of the City Manager authorized in the City of Iowa Colony Charter.

SECTION 11. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public, as required by Section 551.001, et seq., of the Texas

Government Code, and that advance public notice of the time, place and purpose of said meetings was given.

SECTION 12. That this ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED ON THE FIRST READING ON THE 20TH DAY OF NOVEMBER 20, 2023.

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING ON THE _____ DAY OF _____, 2023.

CITY OF IOWA COLONY

By: _____
WIL KENNEDY, MAYOR

ATTEST:

KAYLEEN ROSSER,
CITY SECRETARY