

ORDINANCE NO. 1482-23

AN ORDINANCE AMENDING TUALATIN MUNICIPAL CODE CHAPTER 1-21 DELEGATING AUTHORITY TO THE CITY MANAGER TO APPROVE CERTAIN INTERGOVERNMENTAL AGREEMENTS, GRANTS, AND SIMILAR AGREEMENTS

WHEREAS, under the City's Public Contracting Rules (TMC 1-21), all intergovernmental agreements (IGA's), grants and similar agreements must be forwarded to Council for review and approval unless the Council has specifically delegated such authority to the City Manager;

WHEREAS, there has been confusion as to when the City Manager must forward certain IGA's, grants and similar agreement to the Council for approval;

WHEREAS, expanding the City Manager's authority to approve certain classes of IGA's, grants and similar agreements will streamline the approval process for agreements with other governmental entities and nonprofits which benefits the City and community it serves;

WHEREAS, the City Manager's authority would be expanded to approve and sign the following types of IGA's, grants and similar agreements: IGA's that do not exceed \$150,000; mutual aid agreements for allocation of equipment and personnel; agreements that implement Council policy decisions; renewals and extensions of agreements originally approved by the Council and grant and loan agreements for which the funds are included in the budget, including grants where the City will either donate or receive funds; and

WHEREAS, the Council wishes to delegate authority to the City Manager to approve and sign such IGA's, grants and similar agreements.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. New section 1-21-270 is added to Chapter 1-21 to read as follows:

**TMC 1-21-270 – Intergovernmental Agreements, Grants and Similar Agreements—
Authority of City Manager.**

- (1) The City Manager is delegated authority to approve and sign the following types of agreements if approved as to form by the City Attorney:
 - (a) Intergovernmental agreements that do not exceed the Purchasing Manager's authority to award City contracts under TMC 1-21-070(1).
 - (b) Intergovernmental agreements for allocation of existing equipment and personnel, such as mutual aid agreements or involvement in dedicated task

forces, if such agreement does not impact the City's ability to provide services within its own boundaries.

- (c) Intergovernmental agreements implementing Council policy decisions.
- (d) Renewal or extension of an intergovernmental agreement originally approved by the City Council.
- (e) Grant and loan agreements for which the funds are included in the budget, including grants where the City will either donate or receive funds. The City Manager is also authorized to submit applications to receive grants.

(2) The delegation of authority to the City Manager under subsection (1) includes memorandums of agreement, memorandums of understanding and similar agreements.

(3) Notwithstanding subsections (1) and (2), the City Manager may refer any above-referenced agreement to the City Council for review and approval.

Section 2. All other provisions and subsections of TMC 1-21 shall remain unchanged and in full force and effect.

Section 3. This Ordinance shall take effect on the thirtieth day after its enactment.

Introduced and Adopted by the City Council this ____ day of _____, 2023.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder