

ORDINANCE NO. 20-05-07-13

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS AMENDING TITLE III, "ADMINISTRATION", OF THE CITY'S CODE OF ORDINANCES TO ADD A NEW CHAPTER, CHAPTER 29, TO BE ENTITLED "CITY MANAGER", AND A NEW SECTION TO CHAPTER 29, SECTION 29.001, TO BE ENTITLED "SIGNATURE AUTHORITY OF CITY MANAGER", TO PROVIDE GENERAL AUTHORITY TO THE CITY MANAGER TO CONTRACT FOR EXPENDITURES WITHOUT FURTHER APPROVAL OF THE CITY COUNCIL IN ACCORDANCE WITH SECTION 4.01, "CITY MANAGER", OF ARTICLE IV, "ADMINISTRATIVE SERVICE", OF THE CITY'S HOME RULE CHARTER AND THE PURCHASING POLICY ADOPTED BY THE CITY COUNCIL VIA RESOLUTION NO. 12-12-016, INCLUDING ALL AMENDMENTS THERETO; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE/REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality organized under the Constitution and the laws of the State of Texas; and

WHEREAS, Section 4.01, "City Manager", of Article IV, "Administrative Service", of the City's Home Rule Charter, ("Charter"), allows the City Council to adopt an ordinance setting limits and giving the City Manager general authority to contract for expenditures without further approval of the City Council, if the Council considers it proper for the administration of City affairs; and

WHEREAS, Section 4.01 of Article IV of the Charter further sets forth specific duties of the City Manager which include the duty to administer the budget approved by the Council in order to achieve the goals of the City and to perform other duties as prescribed by Council; and

WHEREAS, the City Council adopted the City's Purchasing Policy via Resolution No. 12-12-016, including all amendments thereto, on December 20, 2012, and the policy further delegates to the City Manager the authority to approve and execute certain documents without City Council action, provided funds are budgeted therefore; and

WHEREAS, the City Council has determined it necessary and appropriate to adopt this Ordinance to provide authority to the City Manager in accordance with the Charter and the City's Purchasing Policy in order for the City Manager to more efficiently administer the City's adopted budget; and

WHEREAS, in order to facilitate the efficient operation of the City and the implementation of the budget, the City Council has determined it necessary and appropriate to

adopt this Ordinance to authorize the City Manager to execute certain documents to ensure proper administration of City affairs; and

WHEREAS, the City Council has determined that pursuant to the Charter and the Code, the City Manager should be authorized to execute documents in accordance with the amendment to the Code as set forth below.

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

SECTION 1. Incorporation of Premises. That the above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. Amendment. Title III, "Administration", of the City of Corinth's Code of Ordinances is hereby amended to add a new chapter, Chapter 29, to be entitled "City Manager", and a new section, Section 29.001, to be entitled "Signature Authority of City Manager," which shall be and read as follows with all other provisions of Title III to remain in full force and effect without amendment:

CHAPTER 29: – CITY MANAGER

§ 29.001. – SIGNATURE AUTHORITY OF THE CITY MANAGER.

In accordance with City policies and state law including all bidding requirements, the following contracts may be entered into and executed on behalf of the City by the City Manager or the designated Acting City Manager (hereinafter "City Manager"), without further Council authorization, provided funds are budgeted therefore:

- A. Contracts for the purchase of goods or services for which funds have been adopted by budget or amended budget in the fiscal year during which payment is due;
- B. Contracts for the purchase of goods or services which do not require an expenditure of funds and which are determined necessary for the efficient operation of the City and the implementation of the budget or any amended budget;
- C. Contracts for use of bond proceeds, including professional services, which have been included in the budget or any amended budget approved by City Council;
- D. Contracts for expenditures of TIF funds made in accordance with an approved Project and Financing Plan;
- E. Contracts for the use of City owned facilities by a third party when such facilities have been designated by the City Council as a facility available for public use;
- F. Contracts for which the City Council has otherwise expressly provided authorization for execution by the City Manager, including the Purchasing Policy adopted via

Resolution No. 12-12-016, including all amendments thereto, on file with the office of the City Secretary.

SECTION 3. Ratification of Prior Actions. This Ordinance ratifies prior actions of the City Manager that were taken pursuant to existing policies as well as Council directives, authorizations, and budgetary authorizations.

SECTION 4. Cumulative/Repealer Clause. This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 5. Severability Clause. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

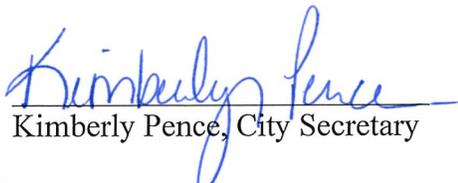
SECTION 6. Publication/Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED AND APPROVED this 7 day of May 2020.



Bill Heidemann, Mayor

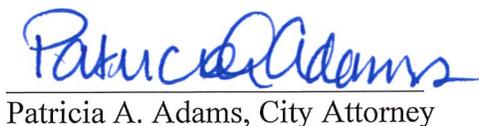
ATTEST:



Kimberly Pence, City Secretary



APPROVED AS TO FORM:



Patricia A. Adams, City Attorney