

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL REPEALING ORDINANCE NO. 2017-14 AND AMENDING PORT ARANSAS CODE OF ORDINANCES CHAPTER 2 "ADMINISTRATION" ARTICLE V "FINANCIAL MATTERS", CONCERNING CONTRACTING, DISBURSEMENT, CHECKING, CONTRACT CHANGE ORDERS, AND FUND TRANSFER AUTHORITY OF THE CITY COUNCIL AND CITY MANAGER AND OTHER FINANCIAL MATTERS; PROVIDING FOR SEVERANCE, READING, PENALTY, AND EFFECTIVE DATE. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS

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

SECTION 1. Ordinance No. 2017-14 is Repealed in its entirety.

SECTION 2. Section 2-67(a), (b) and (c) Port Aransas Code of Ordinances are hereby amended, added words being indicated by underlining and deleted words being indicated by interlining.

CHAPTER 2 ADMINISTRATION

ARTICLE V. – FINANCIAL MATTERS

Sec. 16-143. - Disbursement of funds, contracting and budget transfers.

- (a) **Contracting.** The city manager has general authority to make and sign any and all - contracts which are consistent with the budget, with the following exceptions:
- (1) Contracts which are subject to legally mandated competitive bid, competitive proposal or similar procedures requiring council award may only be awarded by the council and must be signed by the mayor or mayor pro tem, unless the council authorizes the city manager to sign same.
 - (2) Contracts calling for the payment by the city of twenty fifty thousand dollars (\$20,000 \$50,000) or more the amount established by State Law, whether in one (1) or more payments, must be made by the council and must be signed by the mayor or mayor pro tem, unless the council authorizes the city manager to sign same. The following contracts are exempt from this subsection (2) and (provided they are not subject to legally mandated competitive bid, competitive proposal or similar procedures requiring council award and therefore subject to subsection (1) above) may be signed by the city manager: contracts reasonably required to meet emergencies.
 - (3) Contract change orders may be approved by the City Manager acting alone, if: (a) State law does not require Council approval and (b) the change does not exceed the lesser of 25% of the original contract amount or \$50,000.

- (b) **Disbursements.** Disbursements of funds from a city depository must be consistent with the budget and must be made by check signed by two (2) authorized persons or wire transfer ordered by two (2) authorized persons designated by City Council Resolution. ~~In addition:~~
- ~~(1) Any check or wire transfer for less than ten thousand dollars (\$10,000.00) must be signed or ordered by either the city manager, mayor or mayor pro tem and by either the city manager, mayor, mayor pro tem, city secretary, assistant city secretary, or assistant city manager.~~
- ~~(2) Any check or wire transfer for utilities, personnel costs (including salaries, wages, payroll taxes, workers' compensation and health insurance, and retirement), insurance premiums on policies approved by the council, payments to the Chamber of Commerce, and sales tax payments to the State of Texas must be signed or ordered by either the city manager, mayor or mayor pro tem and by either the city manager, mayor, mayor pro tem, city secretary, or assistant city secretary, or assistant city manager.~~
- ~~(3) Any check or wire transfer for ten thousand dollars (\$10,000.00) or more and which is for a purpose other than those described at subsection (2) above, and any check or wire transfer which is in payment of a cost associated with a request for qualifications or request for proposals must be signed by two (2) of the following; the city manager, mayor and mayor pro tem,~~
- (c) **Budget Transfers.** The city manager shall have authority to transfer budget amounts not to exceed ~~five ten thousand dollars (\$5,000 \$10,000.00)~~ within departments. All other budget transfers require council consent.

SECTION 2. EFFECTIVE DATE.

As provided by Article III, Section 3.12 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption on the third and final reading.

SECTION 3. READING.

As provided by Article III, Section 3.12 of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

SECTION 4. SEVERANCE.

If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

PASSED, ORDAINED, APPROVED and ADOPTED this 18th day of JUNE, 2020.



CITY OF PORT ARANSAS, TEXAS

A handwritten signature in blue ink, which appears to read 'Charles R. Bujan', is written over a horizontal line.

Charles R. Bujan, Mayor

ATTEST:

A handwritten signature in blue ink, which appears to read 'Francisca Nixon', is written over a horizontal line.

Francisca Nixon, City Secretary

First Reading: April 16, 2020
Second Reading: May 21, 2020
Third Reading: June 18, 2020