

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 2 OF THE MESQUITE CITY CODE, AS AMENDED, BY RENUMBERING SECTION 2-5(a)(4)(g) AS SECTION 2-5(a)(4)(h) AND ADDING NEW SECTIONS 2-5(a)(3)(c) AND 2-5(a)(4)(g); AUTHORIZING THE CITY MANAGER TO EXECUTE CITY FACILITY USE AGREEMENTS THAT DO NOT EXCEED A TERM OF ONE YEAR; AUTHORIZING CITY DEPARTMENTS TO EXECUTE VENDOR AND CONCESSIONAIRE CONTRACTS THAT DO NOT EXCEED FIVE THOUSAND DOLLARS; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, pursuant to Article VIII, "City Manager," of the Charter of the City of Mesquite (the "City"), the City Manager is the administrative head of city government and the City Council is empowered to delegate authority to carry out the attendant responsibilities in that office; and

WHEREAS, the City Council has previously delegated, by resolution, policy or ordinance, the approval and execution of certain agreements and payments related to approved programs, activities and budgeted items in order to facilitate the City Manager's duties in administration and operation of the City; and

WHEREAS, with the passage of Ordinance No. 4472, the City Council updated and clarified those delegations and provided additional authority to the City Manager and staff, in specified circumstances; and

WHEREAS, the City Council desires to delegate the authority to execute city facility use agreements that do not exceed a term of one year to the City Manager; and

WHEREAS, the City Council desires to delegate the authority to execute vendor and concessionaire agreements to the Directors of City Departments, provided the expenditure does not exceed five thousand dollars.

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

SECTION 1. That Chapter 2 of the Mesquite City Code, as amended, is hereby amended by renumbering Section 2-5(a)(4)(g) as Section 2-5(a)(4)(h) and adding new Sections 2-5(a)(3)(c) and 2-5(a)(4)(g) to read as follows, in all other aspects said Code, Chapter and Section to remain in full force and effect:

Sec. 2-5. Delegation of authority to City Manager and other City officials.

(a) *Signing contracts, easements, licenses and liens.*

(3) The City Manager is authorized to:

c. Execute use agreements for City facilities that do not exceed a term of one year.

(4) The following City officials are authorized to sign the following designated contracts provided they are approved as to form by the City Attorney:

g. A director of a City department is authorized to execute vendor and concessionaire agreements administered by their department, provided the expenditure does not exceed five thousand dollars.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of April 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary



David L. Paschall
City Attorney