



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		11/23/2015		
Department:		Purchasing		
Department Head		Diane Palmer-Boeck		
Agenda Coordinator (include phone #): Kellie Boyer x7248				
CAPTION				
An Ordinance of the City of Plano, Texas amending Section 2-12(c) of the City Code of Ordinances of the City of Plano, Texas to clarify the City Manager's authority for City contracts in accordance with state law; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s): N/A				
COMMENTS: This item has no financial impact. STRATEGIC PLAN GOAL: An Ordinance amending Section 2-12(c) of the Code of Ordinances of the City of Plano, Texas relates to the City's goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
See attached ordinance.				
List of Supporting Documents: Ordinance			Other Departments, Boards, Commissions or Agencies	

An Ordinance of the City of Plano, Texas amending Section 2-12(c) of the City Code of Ordinances of the City of Plano, Texas to clarify the City Manager’s authority for City contracts in accordance with state law; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, the City Council adopted the City of Plano Procurement Code by Ordinance No. 96-3-18 which was amended by Ordinance No. 2001-8-15 which was amended by Ordinance No. 2007-8-9 which was amended by Ordinance No. 2011-9-5 which was amended by Ordinance 2011-11-9; and

WHEREAS, the City Council wishes to clarify the City Manager’s authority for City contracts in accordance with state law; and

WHEREAS, the City Council finds that it is in the best interest of the City of Plano to amend Section 2-12(c) of the City of Plano, Texas Code of Ordinances to clarify the City Manager’s authority for City contracts in accordance with state law.

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

Section I. Section 2-12(c) of the City of Plano, Texas Code of Ordinances is hereby amended to clarify the City Manager’s authority for City contracts in accordance with state law as follows:

“(c) *Authorization of contracts by city manager.* The following contracts may be entered into and executed on behalf of the city by the city manager or his designees without further council authorization:

- (1) Change orders which result in increases or decreases to agreements and which do not exceed the sum of fifty thousand dollars (\$50,000.00); and
- (2) Contracts for the lease or purchase of goods or services in an amount equal to or less than fifty thousand dollars (\$50,000.00), unless otherwise excepted by state law.”

Section II. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section III. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. This Ordinance shall become effective immediately upon its passage and publication as provided by law.

DULY PASSED AND APPROVED this the 23rd day of November, 2015.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY