

ORDINANCE NO. 2021-

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE I, CITY OF NEW BRAUNFELS, TEXAS CODE OF ORDINANCES BY AMENDING 2-130, TO REFLECT THE CHARTER AMENDMENT PROPOSITION H THAT INCREASED THE CITY MANAGER'S AUTHORITY FOR COMPETITIVE BIDDING AND PURCHASING FOR BUDGETED ITEMS FROM \$25,000 UP TO \$50,000; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Charter was amended by the majority vote in a special election held on May 2021; and

WHEREAS, Proposition H, which was passed by the voters, amended Section 9.17 of the City Charter to increase the City Manager's authority from \$25,000 to \$50,000, and to allow automatic adjustments to this amount if state law is amended in the future; and

WHEREAS, the Code of Ordinances is being amended to reflect the amended Charter provision so that it is congruous.

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

SECTION 1. Findings.

The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2: That the code of Ordinances be amended as indicate below with the use of strikeout font for deletions and underlined font for new language:

Sec. 2-130. City manager—Execution of contracts and deeds.

The city manager is hereby authorized to execute the following documents on behalf of the city pursuant to the following conditions:

- (1) All contracts for expenditures in an amount not exceeding ~~\$25,000.00~~ \$50,000.00, or as that amount is hereafter amended by state law, provided that the expenditure is budgeted;
- (2) All contracts for expenditures in excess of ~~\$25,000.00~~ \$50,000.00, or as that amount is hereafter amended by state law, when said expenditures have been approved by the city council;
- (3) Deeds and closing documents conveying real property owned by the city when the sale of the property has been approved by the city council;

- (4) Deeds and closing documents for the purchase of real property by the city when the purchase of the property has been approved by the city council; and
- (5) The granting or abandonment of utility easements across city-owned real property provided that the granting or abandonment of the easement shall not unreasonably restrict the use of the property by the city and provided further that the execution of the document does not involve the payment of monetary consideration by the city.

**SECTION 3: Savings Clause.**

All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

**SECTION 4: Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

**SECTION 5: Effective Date.**

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing by the City Secretary.

PASSED AND APPROVED: First reading this \_\_\_\_ day of \_\_\_\_\_, 2021.

PASSED AND APPROVED: Second reading this \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF NEW BRAUNFELS, TEXAS**

\_\_\_\_\_  
RUSTY BROCKMAN, Mayor

ATTEST:

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Caitlin Krobot, City Secretary