



ORDINANCE NO. 200

AN ORDINANCE REPEALING ORDINANCE NO. 118, THE CITY'S PURCHASING POLICY AND ENACTING A REVISED PURCHASING POLICY; AND PROVIDING FOR AN EFFECTIVE DATE

RECITALS

- WHEREAS, on July 13, 2011, the City Council ("City Council") of the City of Uhland ("City") enacted Ordinance No. 118 establishing a purchasing policy containing guidelines for purchase authorization and expenditures for the City; and
- WHEREAS, the City Council desires to amend the policy to provide for flexibility and to streamline its financial management; and
- WHEREAS, pursuant to Texas Local Government Code Section 101.00, the City Council may manage and control the finances of the municipality; and
- WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council finds that it is necessary and proper for the good government and order of the City to amend the City's purchasing policy.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Uhland, Texas, that:

ARTICLE I. FINDINGS OF FACT

The foregoing Recitals are hereby adopted as facts and are incorporated fully herein.

ARTICLE II. REPEAL OF ORDINANCE NO. 118

Ordinance No. 118 is hereby repealed as of the effective date of this Ordinance; save and except that ordinance or provision shall remain in full force and effect with respect of any notice given, complaint field or charge levied regarding such ordinance and prior to the effective date of this Ordinance.

ARTICLE III. ADOPTION AND ENACTMENT

The City Council hereby adopts and enacts the *City of Uhland Purchasing Policy, Revised December, 2017*, attached hereto as **Attachment A** and incorporated fully herein.

ARTICLE IV. REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.


SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

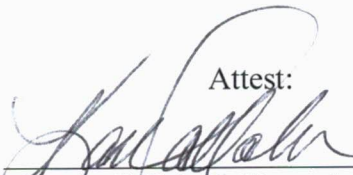
ARTICLE V. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

PASSED AND APPROVED this, the 13 day of December 2017, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Uhland, Texas.

CITY OF UHLAND, TEXAS:


Vicki Hunter, Mayor Pro Tem

Attest:

Karen Gallaher, City Administrator

CITY OF UHLAND PURCHASING POLICY

Revised December 2017

- 1) **Application**. This purchasing policy applies to purchases not subject to the statutory requirements of competitive bidding contained in Local Government Code Section 252.021 Competitive Requirements for Purchases, as amended. Competitive bidding purchases shall be conducted in accordance with statute.
- 2) **Funding and Tax Exemption**. Supplies, materials, and professional services shall be purchased by following the procedures outlined in this policy. All purchases made and paid for by City funds are to be used for City purposes only. Available and sufficient funding in the budget shall be the basis for all purchases. No purchase shall be processed without the availability of funds. City purchases are exempt from sales and use taxes.
- 3) **Purchase Approval Criteria**.
 - a) Purchases less than \$1,500 shall be approved by the Mayor or the City Administrator.
 - b) Purchases in excess of \$1,500 shall be approved by the City Council unless funding is provided in the current fiscal year budget for a specified budgeted item.
- 4) **Emergency Purchases**. Emergency purchases in excess of \$50,000, which are made without solicitation of competitive bids, shall be permitted under this policy in accordance with Local Government Code Section 252.022, as amended. All emergency purchases shall be approved by the Mayor and the City Administrator. In addition, the reason for the waiver of the competitive bid/proposal requirements must be cited, in writing, using the appropriate section of the Code.
- 5) **Receipt Required**. Vendor invoices, tickets, sales slips, or a receipt with a notation of the purchased item(s) must be submitted to the City for payment.
- 6) **Council Review and Approval**. Purchases made in accordance with this policy shall be submitted to the City Council as part of the monthly financial report for review and approval of monthly expenditures.
- 7) **Procurement of Professional Services**. Contracts for professional services shall comply with this policy, and shall be awarded in accordance with the Professional Services Procurement Act, Government Code 2254, as amended.
- 8) **Local Government Cooperative Purchasing**. Purchases made through a local purchasing program shall comply with this policy and in accordance with Local Government Code Chapter 271.081 State Cooperation in Local Purchasing Programs, as amended.
- 9) **Ethics Considerations**. City employees, representatives, or agents are prohibited from involvement in purchasing decisions where a City employee, representative or agent has a conflicting personal interest in the decision. A transaction of business between the City and City employees, representatives, or agents is prohibited without full disclosure to the City Council of the relationship and a determination by the Council that the transaction may proceed as it is in the best interests of the City.
- 10) **Disclosure**. A vendor who has a business relationship as defined by Local Government Code Section 176.001(1-a) with a local governmental entity and who meets the requirements under Section 176.006(a) must submit a Conflict of Interest Questionnaire, Form CIQ, with the City not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed.