



## City of Boynton Beach Agenda Item Request Form

**Meeting Date:** 08/20/2024

**Proposed Ordinance No. 24-012- First Reading- An Ordinance of the City of Boynton Beach, Florida, amending Part II, Chapter 2, "Administration," Article II, "City Manager," Section 2-30 "Powers and Duties Generally," by creating a new subsection "K," authorizing the City Manager to execute certain contracts on behalf of the City; providing for codification, severability, conflicts, and an effective date.**

**Requested Action:** Staff recommends approval of Proposed Ordinance No. 24-012, on first reading.

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**Explanation of Request:** The City Manager is the City's chief administrative officer and is responsible to the City Commission for the administration of all City affairs. City Administration and the City Attorney's Office identified gaps in existing City ordinances and policies. In an attempt to establish a clear framework, enhance transparency, codify long-term policy declarations of the Commission, and ensure that documents are legally executed, City Department Directors were asked to identify the types of contracts that they believed to be routine in nature and that were historically signed by the City Manager. This ordinance establishes and formalizes policies regarding contract execution authority for various contracts for programs and services that are routine or otherwise necessary to implement the City's day-to-day work.

Over time, the City Commission has adopted resolutions and created policies that authorized the City Manager to execute procurement contracts and other documents. This ordinance codifies such prior policy decisions (e.g., R18-002, R22-132, R24-011, R15-026, R14-032) and clarifies signature authority for certain programs already adopted by ordinance. This ordinance will enable City administration to function at the most efficient level by authorizing the City Manager to execute certain contracts under the conditions specified in the ordinance.

The ordinance only applies to budgeted contracts. It requires any document signed to comply with all Risk Management policies and the City's Procurement Policy and requires the form of agreement to be approved by the City Attorney's Office.

Article I, Section 7 of the City Charter provides that the City Commission has the power to enter into contracts on behalf of the City, and all contracts shall be attested by the City Clerk with the seal of the City affixed hereto. Based on the authority vested in the Commission under Article I, Section 7 of the Charter, it is within the City Commission's purview to authorize the City official it deems appropriate to execute a document. This ordinance is consistent with prior policies set by the City Commission, which has delegated signature authority through

ordinance on numerous occasions (e.g., sections 2-56.1, 18-196, 28-8.2, 18-229, 15-117.5, 26-508, 5-27, 3-5, and 27-8 of the City Code).

**How will this affect city programs or services?** This ordinance establishes a signature authority framework and provides express rather than implied authority, ensuring contracts executed are legally enforceable thereby reducing the City's risk, streamlining the City's contract signature process, and clarifying the City Manager's signature authority.

**Fiscal Impact:** N/A

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**Attachments:**

[City Manager Signature Authority Ordinance- 8.12.24.docx](#)  
[business-impact-estimate-City\\_Manager\\_Signature\\_Authority.pdf](#)