

ORDINANCE NO. T-2-2022

AN ORDINANCE OF THE MAYOR AND BOARD OF TRUSTEES OF THE CITY OF KIOWA, PITTSBURG COUNTY, STATE OF OKLAHOMA, AMENDING SECTION 7-104, PURCHASING AND SALES PROCEDURES, OF ARTICLE 4, FINANCIAL AND BUSINESS PROCEDURES, CHAPTER 1, ADMINISTRATION AND MANAGEMENT, BY ADDING A NEW PAYMENT PROCEDURE SUBSECTION; DECLARING REPEALER; PROVIDING FOR SEVERABILITY THEREOF; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE CITY OF KIOWA, OKLAHOMA:

SECTION I. Chapter 1, Administration and Management, Article 4, Financial and Business Procedures, Section 1-60, of the Code of Ordinances of the City of Kiowa is hereby amended to henceforth read as follows:

Section 1-60. Purchasing and Sales Procedures.

1. The City shall contract for and purchase, or issue purchase authorization for, all supplies, materials and equipment for the operation of the Municipal Government. Before the purchase of, or contract for, any supplies, materials or equipment, or the sale of any surplus or obsolete supplies, materials or equipment, ample opportunity for competitive bidding, under such regulations and with such exceptions as the City Charter and the City Council may prescribe, shall be given.
2. "Contractual services," for the purpose of this Chapter, shall mean services performed for the City by persons not in the employ of the City and may include the use of equipment or the furnishing of commodities in connection with such services under express or implied contract. "Contractual services" shall include travel, freight, express, parcel post, postage, telephone, telegraph, utilities, rents, printing and binding, repairs, alterations and maintenance of buildings, equipment, streets, bridges and other physical facilities of the City.
3. Subject to the provisions of State Law and this Section, surplus or obsolete supplies, materials or equipment belonging to the City may be sold.

4. No sale shall be made under this Section until the City Council has declared the supplies, materials or equipment involved to be surplus or obsolete.

5. Except as may otherwise be provided, the City Council shall advertise any sale under this Section in a newspaper of general circulation in the City or County, or in such other manner as deemed necessary to adequately reach prospective buyers to give them an opportunity to make bids. All bids shall be sealed and opened in public at a designated time and place, except when the sale is by auction. The City Council may repeatedly reject all bids and advertise again. The City Council shall sell such supplies, materials and equipment to the highest responsible bidder and, if necessary, shall cast lots in case of a tie to determine to whom to sell.

6. The City Mayor, subject to any regulations which the City Council may prescribe, shall contract for and purchase, or issue purchase authorization for, all supplies, materials and equipment for the offices, departments and agencies of the Municipal Government. Every such contract or purchase exceeding twenty five hundred dollars (\$2500.00) shall require the prior approval of the City Council.

7. Payment Procedure in Lieu of Purchase Orders. Upon direction from the City Mayor, a payment procedure shall be implemented whereby all properly submitted and due claims and invoices shall be processed and paid in the following manner:

- a. The City Clerk or his/her designee shall:
 - (1) Accumulate all properly submitted and due claims and invoices to be processed for payment;
 - (2) Confirm the availability of the appropriately designated funds to be used;
 - (3) Present said due claims and invoices to the City Mayor for confirmation of the validity of the expenses incurred;
 - (4) Encumber the confirmed, appropriately designated funds from being utilized for any further purpose than as described therein;
 - (5) Present said due claims and invoices to the Mayor or his/her designee for consideration and approval for payment;

(6) Issue properly signed checks, or other authorized forms of payment, in payment of said claims and invoices; and

(7) Prepare a list of claims and invoices paid, which shall be submitted, for informational purposes, to the Board of City Council at their next regular meeting following the payment date.

b. When implemented by the City Mayor, the Payment Process and Procedure detailed in subsection a, above, shall also apply to all public trusts for which the City of Kiowa is the sole beneficiary.

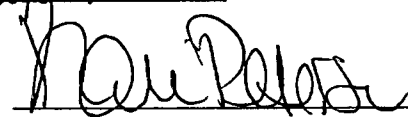
SECTION II. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION III. Repealer. All former ordinances and/or parts of ordinance conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION IV. EMERGENCY:

WHEREAS, It being immediately necessary for the preservation of the peace, health, safety and welfare of the City of Kiowa, Oklahoma, and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take effect and be in full force from and after its passage, approval and publication as provided by law.

APPROVED AND PASSED this 12/30/2021.



Mayor

ATTEST:


City Clerk

(SEAL)

