

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1106 concerning Delegating Additional Administrative Duties to the Director of Administration (Public Hearing)**

Date: **4/18/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by May 1, 2023**
 - In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1106

Introduced by _____ Council President Ringsaker

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 18, 33, 34 AND 48 OF THE HAVRE DE GRACE CITY CHARTER TO DELEGATE TO THE DIRECTOR OF ADMINISTRATION ADDITIONAL ADMINISTRATIVE DUTIES

On: April 17, 2023
at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for May 1, 2023 at 7:00 p.m.

EXPLANATION
Underlining indicates matter added to existing law.
[Bold Brackets] indicate matter deleted from existing law.
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

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34 **WHEREAS**, under Section 18 of the City of Havre de Grace (“City”) Charter the Mayor is the
35 Chief Executive Officer of the City and shall have the duty of general supervision of the City,
36 its employees, and its property; and
37

38 **WHEREAS**, under Section 33 of the City Charter the City Council ("Council") has the authority
39 to assign to all officers named in the Charter such other and further duties not otherwise provided;
40 and
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42 **WHEREAS**, under Section 48 of the City Charter, the Director of Administration, shall perform
43 all duties required under the laws of the state, the Charter, and City ordinances, and shall be
44 responsible for all matters relating to personnel, procurement, information technology, elections,
45 public notices, leases, and the sale, transfer or conveyance of City property; and
46

47 **WHEREAS**, the City enters into many contracts, agreements, and similar documents that are
48 routine in nature or, in certain circumstances, involve specific expenditures, that have already
49 been approved by the City Council in the annual budget process or by ordinance; and
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51 **WHEREAS**, in order to establish a process by which the City can operate in a cost-effective
52 and timely manner, the City Council desires to expressly delegate to the Director of
53 Administration and his or her designee (under the direct supervision and with approval of the
54 Director of Administration), subject to review for legal sufficiency by the City Attorney, the
55 authority to negotiate, prepare, and execute final agreements and other supporting documents
56 necessary to accomplish these routine and/or otherwise Council-approved items of City business
57 or matters already appropriated through budget expenditures in the interest of efficient
58 administration of governmental operations in the City; and
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60 **WHEREAS**, the Mayor shall continue to sign the City's ordinances, the resolutions of the
61 Council, and the documents which he or she is obligated by the Charter or state law to sign; and
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63 **WHEREAS**, any matter which is required to be adopted by ordinance pursuant to the Local
64 Government Article of the Maryland Code or other state law shall not be affected by this
65 ordinance;
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67 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
68 **HAVRE DE GRACE:**

- 69 1. The Council grants authority to the Director of Administration and his or her designee
70 (under the direct supervision of and subject to the approval of the Director of
71 Administration) to sign on behalf of the City all contracts and agreements approved by
72 Council. In addition, subject to compliance with any state law that requires adoption of an
73 ordinance, the Director of Administration is authorized to approve and execute a contract
74 for the purchase of goods and services selected through the City’s procurement process if
75 such expenditure has been approved by City Council in the annual budget.
- 76 2. The authority granted to the Director of Administration and his or her designee herein with
77 respect to signing or entering into any contracts shall also include the authority to terminate
78 such contracts as permitted under the contract (after consultation with the City Attorney
79 and review for legal sufficiency) and to sign amendments to such contract so long as such

80 amendments do not result in increased expenditures which exceed the amount allocated to
81 such item in the approved annual budget.

82 3. The Council hereby grants authority to the Director of Administration or his/her designee
83 (under the direct supervision of and subject to approval by the Director of Administration)
84 to negotiate and execute contracts on behalf of the City (after consultation with the City
85 Attorney and review for legal sufficiency, or on a standard form approved by City Council)
86 provided that the funding for the contract, if any, is contained in a City Council approved
87 budget ordinance.

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90 ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2023.

91
92 SIGNED by the Mayor and attested by the Director of Administration this _____ day of
93 _____, 2023.

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96 ATTEST: MAYOR AND CITY COUNCIL
97 OF HAVRE DE GRACE

98
99 _____
100 Stephen J. Gamatoria
101 Director of Administration

William T. Martin
Mayor

102
103
104 Introduced/First Reading: 4/17/2023
105 Public Hearing:
106 Second Reading/Adopted:
107
108 Effective Date: