

CEDAR CITY RESOLUTION NO. 14-1203-1

A RESOLUTION ESTABLISHING PROCEUDRES FOR THE SIGNING ALL DEEDS, BONDS, BILLS, NOTES, CONTRACTS, LEASES AND OTHER WRITINGS TO WHICH THE CITY IS A PARTY.

WHEREAS, currently Chapter 3, Section 3 of the ordinances of Cedar City, Utah, reads as follows:

Section 3-3. Shall Sign All Ordinances, Licenses, Deeds, etc.

The Mayor shall sign all City Ordinances, Licenses, and he is hereby authorized and empowered to sign his name officially for and in behalf of the City, to all deeds, bonds, bills, notes, contracts, leases and other writings to which the City is a party, when so directed by the City Council.

WHEREAS, this provision of the City's ordinance allows the Mayor to sign various documents on behalf of the City when directed to do so by the City Council; and

WHEREAS, the normal City Council process takes a minimum of two (2) weeks to complete and often longer by the time documents are prepared and presented to for the council's consideration; and

WHEREAS, City staff is frequently running into conflicts with the time needed to enter agreements for operational matters including, but not limited to, transfer of title for burial lots, leasing equipment, renting facilities to the general public, purchasing annual software licenses, accessing and using intellectual property, securing event sponsors, entering cooperative agreements with other governmental entities, receiving small grants, and a wide variety of daily administrative issues; and

WHEREAS, in order to increase the City's efficiency and improve the City's ability to do business on a daily basis the Cedar City Council finds that it is in the best interest of the health, safety, and general welfare of the citizens of Cedar establish a policy directing the Mayor, and others as to when they may sign documents on behalf of the City.

NOW THEREFORE be it resolved by the City Council of Cedar City, State of Utah, the City Council hereby establishes the following policy so as to direct the Mayor and City staff as to when they may sign agreements, contracts, and other documents on behalf of Cedar City:

- (1) Unless otherwise stated herein and after review by the legal department the Mayor may sign contracts, agreements, and other documents on behalf of Cedar City when the City will not be directly obligated to sums less than fifteen thousand dollars (\$15,000.00) or more than fifty thousand dollars (\$50,000.00) pursuant to the terms of the document being signed; the money to pay costs associated with the document are budgeted in the relevant department budget; and the document is in compliance with applicable State Law, City Ordinance, City Policy, and adopted City Fees.
- (2) Unless otherwise stated herein and after review by the legal department City Department Heads may sign contracts, agreements, and other documents on behalf of Cedar City when the City will not be directly obligated to pay in excess fifteen thousand

dollars (\$15,000.00) pursuant to the terms of the document being signed; the money to pay costs associated with the document are budgeted in the relevant department budget; and the document is in compliance with applicable State Law, City Ordinance, City Policy, and adopted City Fees.

- (3) Unless otherwise stated herein and after review by the legal department City Department Heads may sign contracts, agreements, and other documents on behalf of Cedar City in order to rent or lease time or space in a City facility. By way of example and not by way of limitation this provision shall apply to rental of the Heritage Center, Festival Hall, and Leisure Services Facilities. All rentals must comply with applicable State Law, City Ordinance, City Policy, and adopted City Fees.
- (4) Nothing in this policy shall be interpreted to supersede existing or hereinafter adopted State Law, City Ordinance, or City policy. By way of example and not by way of limitation this resolution shall not supersede existing City policy related to disposal of or lease of City property.
- (5) If the document being signed may require commitment of budget resources in future fiscal year budgets, then the document must be approved by the City Council.
- (6) If there is a question as to the value involved the City Manager may send the contract for approval to the City Council.
- (7) Agreements that either delay or otherwise impact the normal zoning and subdivision processes shall be approved by the City Council. Subdivision Bond agreements and bonding deferment agreements pursuant to the City's subdivision ordinance and zoning ordinance may be signed by the Mayor after legal department review, posting of the required bond, and without further council approval.
- (8) The Mayor may require any agreement be presented to the City Council.
- (9) All contracts, agreements, and other documents signed pursuant to the terms of this resolution shall be attested to by the City Recorder and a fully executed copy thereof shall be maintained by the City Recorder.

Remainder of page intentionally left blank.

This resolution, Cedar City Resolution No. 14-1203-1, shall become effective immediately upon adoption by the City Council.

Ayes - 5 Nays - 0 Abstained - 0

Dated this 9th day of December, 2014.

Maile L. Wilson
MAILE L. WILSON
MAYOR

[SEAL]
ATTEST:



Renon Savage
RENON SAVAGE
RECORDER