

## ARTICLE 8.100 CITY MANAGER\*

### Sec. 8.101 Manager to be Appointed; To be Administrative Head

The governing body of the city shall appoint a city manager for the City of Abernathy who shall be the administrative head of the municipal government under the direction and supervision of the governing body. (1974 Code, Chapter 1, Article 2, Section 1-2)

### Sec. 8.102 Term of Office

The city manager shall be appointed for an indefinite period and shall be subject to discharge at the will of the governing body of the city. (1974 Code, Chapter 1, Article 2, Section 1-4)

### Sec. 8.103 Absence or Disability of City Manager

During the absence or disability of the city manager, the governing body shall designate some properly qualified person to perform the duties of said office. (1974 Code, Chapter 1, Article 2, Section 1-5)

### Sec. 8.104 Powers and Duties

The powers and duties of the city manager shall be:

- (1) To devote all of his working time and attention to the affairs of the city, and be responsible to the governing body for the efficient administration of its affairs.
- (2) To see that all laws and ordinances are enforced.
- (3) With the advice of the governing body of the city, to appoint and remove all heads of departments. He shall have the power to appoint or remove all subordinate employees.
- (4) To exercise supervision and control over all departments created by the governing body or that may hereafter be created by said governing body of the city.
- (5) To attend all meetings of the governing body with the right to take part in the discussion, but having no vote; and he shall be notified of all special meetings of said governing body.
- (6) To see that all terms and conditions imposed in favor of the City of Abernathy and its inhabitants in any public utility franchise are faithfully kept and performed and upon knowledge of any violation thereof to call the same to the attention of the governing body.
- (7) To act as budget officer and as such to prepare and submit to the governing body, prior to the beginning of each fiscal year, a budget of proposed expenditures for the ensuing year, showing in as much detail as practicable the estimated amounts required by months for the efficient operation of each department of the city government and the reasons for such estimated expenditures.
- (8) The city manager, in addition to the foregoing paragraph (7), shall make and file a budget as required by State law.
- (9) To make a full written report to the governing body as soon after the close of each month's accounts as possible, showing the operation and expenditures of each department for the preceding month, and a comparison of such monthly expenditures, by departments, with the monthly allowances made for such departments in the annual budget, and to keep the governing body fully advised at all times as to the financial condition and needs of the city.
- (10) To act as purchasing agent for the City of Abernathy and to purchase all merchandise, material and supplies needed by the city and may establish, if needed, a suitable storehouse where such supplies

shall be kept and from which same shall be issued as needed; and to adopt such rules and regulations governing requisitions and transaction of business between himself as such purchasing agent and the heads of the departments, officers and employees of the city as the governing body may approve.

It shall be the duty of the purchasing agent to give opportunity for competition on purchases and sales, except when the nature of the purchase or sale is such that competition is impossible or impracticable. All purchases in excess of two thousand dollars (\$2,000.00), except of real estate, or rights or easements therein, shall be by contract to the lowest responsible bidder and all sales in excess of two hundred dollars (\$200.00), except real estate or rights or easements therein, shall be made to the highest bidder after public notice and the receipt of sealed bids, unless the governing body, by ordinance, determines that it is impossible or impracticable to purchase or sell in such manner. All sealed bids received shall be opened in public and thereafter shall be subject to public inspection. The purchasing agent may reject all bids and readvertise for new bids. The purchasing agent may require successful bidders to furnish security conditioned upon the faithful performance of their contract or conditioned upon the payment of the wages and compensation of all laborers employed on work for which a contract is made by the contractor, subcontractor, agent or any other person, or condition for both. The purchasing agent shall not let any contract for periods exceeding one year for street lighting, public improvements, labor or supplies.

In case of accident or other circumstances creating an emergency, the city manager may, with the consent of the governing body, award contracts and make purchases for the purpose of repairing damages caused by said accident or avoiding said public emergency; but immediately afterwards, he shall file with the mayor a certificate showing such emergency and the necessity of such action together with an itemized account of all expenditures.

(11) To recommend to the governing body the salaries to be paid each appointive officer and subordinate employee of the city; and it shall be the duty of the governing body to pass ordinances or resolutions, from time to time, fixing rates of compensation.

(12) To recommend to the governing body, in writing, from time to time, for adoption, such measures as he may deem necessary or expedient.

(13) To do and perform such other duties as may be prescribed by ordinance or resolution of the governing body of the city.

(1974 Code, Chapter 1, Article 2, Section 1-6)

Sec. 8.105 Compensation and Bond

The city manager shall receive such compensation as the governing body shall fix from time to time by ordinance and shall furnish such surety bond as may be required by the governing body by ordinance, the premium to be paid by the city. (1974 Code, Chapter 1, Article 2, Section 1-7)