

## Juliet Hyams

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**To:** Juliet Hyams  
**Subject:** FW: Check Signing Authority and Public Contract Spending Limits  
**Attachments:** Resolution 2021-10-Check signers.docx; Ord 299.pdf

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**From:** Greg Hathaway <greg@hathawaylarson.com>  
**Sent:** Sunday, May 15, 2022 11:11 AM  
**To:** Juliet Hyams <Juliet.Hyams@garibaldi.gov>; Tim Hall <halltimpdx7@gmail.com>  
**Subject:** Check Signing Authority and Public Contract Spending Limits

Hi Mayor Hall and Juliet,

This email message addresses your check signing and public contracting limit issues we recently discussed. It appears that the check signing authorization Resolution No. 2021-10 (attached) has been updated to reflect the names of authorized current employees. Juliet, please confirm that this Resolution was adopted by the City Council in December and provide me a signed version.

It also appears that you've addressed the public contracting limit issue by increasing the

limit to \$7,500 for the City Administrator, Fire Chief and Public Works Director per the attached Ordinance No. 199. This increase is now consistent with the check writing authority in Resolution No. 2021-10 that allows these City Employees to have check writing authority up to \$7,500 from the Bank of Umpqua Line of Credit. I am not certain of the status of Ordinance No. 299. At the bottom of some pages, it states: "Revised May 2022", but there is no adoption date or signatures. I checked the City Council's agenda for May 16<sup>th</sup> and it does not appear on the agenda. Please advise of the status of Ordinance No. 299.

Bottom line: Resolution No. 2021-10 specifically updates the authorized signers and allows them to write checks pursuant to the \$7,500 Line of Credit at Umpqua Bank. All other check writing authorization is subject to

the \$7,500 limit described above. Ordinance No. 299 appears to increase the spending limit for public contracting up to \$7,500 for the City Administrator, Fire Chief and Public Works Director which is consistent with Resolution No. 2021-10 (assuming it has been adopted).

You also asked the question: “If a contract includes a bonus beyond \$5000, is that in excess of the ‘up to \$5,000 limit’ if the bonus would come from sponsorships and not the City’s budget?” We can now amend that question to reference the \$7,500 limit per my comments above. It is my opinion, that the City Administrator, Fire Chief or Public Works Director would not “exceed the up to \$7,500 limit” if City dollars were not spent in paying out any bonus. The City would want to make sure that any bonus language in a public

contract clearly stated that the bonus would not be paid from City funds.

Please let me know if you have any questions regarding my thoughts above.

Thanks.

Greg

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**Starting May 1, 2022, please send mail to this address.**

**On May 23, 2022, our offices will be fully moved and open to the public.**

**Our telephone numbers and email addresses remain the same.**

**Gregory S. Hathaway**  
**Partner**



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