

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE NON-DISCLOSURE OR CONFIDENTIALITY AGREEMENTS AS NEEDED; PROVIDING FOR A REPEALER; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City, from time to time, requires the use of non-disclosure or confidentiality agreements ("Agreements");

WHEREAS, the inability of the City to use such Agreements, and use them timely, limits the City's ability to participate in initial discussions of opportunities that maybe beneficial to the City;

WHEREAS, it is a best practice and organizationally efficient for the Agreements to be executed administratively by the City Manager, or his designee, after approval of the same by the City Attorney;

WHEREAS, the City Manager, or his designee, will maintain documentation, in either written or electronic form, for executed Agreements;

WHEREAS, the City Manager shall, beginning January 1, 2018 and on a quarterly basis thereafter, provide to City Council a list of all agreements executed pursuant to this ordinance;

WHEREAS, the City Council finds it is in the public interest for the City Manager, or his designee, to administratively execute non-disclosure or confidentiality agreements after approval of the same by the City Attorney, or his designee; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this Ordinance are incorporated herein by reference.

SECTION 2. The City Manager, or his designee, is authorized to execute non-disclosure or confidentiality agreements ("Agreements") as needed and only after the same has been approved by the City Attorney, without further authority, guidance, or direction from the City Council, and is further authorized to carry out the rights, duties, obligations and responsibilities of the City under the Agreements.

SECTION 3. The City Manager, or his designee, shall maintain documentation, in either written or electronic form, for all Agreements executed pursuant to this ordinance.

SECTION 4. The City Manager shall, beginning January 1, 2018 and on a quarterly basis thereafter, provide to City Council a list of all Agreements executed pursuant to this ordinance.

SECTION 5. All ordinances or parts of ordinances in force when the provisions of this ordinance became effective which are inconsistent, or in conflict with the terms or provisions contained in this ordinance are hereby repealed to the extent of any such conflict.

SECTION 6. If any section, subsection, paragraph, sentence, clause, phrase or word in this ordinance, or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Denton, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 7. This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
CHRIS WATTS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
AARON LEAL, CITY ATTORNEY

BY:  \_\_\_\_\_