

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE CITY EAGLE LAKE, TEXAS, PROVIDING FOR AND PERTAINING TO THE CREATION OF A CITY ADMINISTRATOR POSITION; THE DELEGATION OF AUTHORITY FROM THE MAYOR TO THE CITY ADMINISTRATOR; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the City of Eagle Lake wishes to create a City Administrator position to assist in the day to day functioning of the City; and

WHEREAS, the Mayor and City Council have certain responsibilities and powers under state law; and

WHEREAS, the Mayor and City Council of the City of Eagle Lake desire to create, empower, and direct a City Administrator to perform certain delegated powers intended to ensure the smooth and efficient operation and functioning of City government.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE LAKE, TEXAS AS FOLLOWS:

SECTION 1. The position of City Administrator is hereby created and provided with certain delegated powers and responsibilities as recited herein.

SECTION 2. The City Administrator shall be appointed by the Mayor, subject to confirmation by the City Council. Before making such appointment, the Mayor shall advertise the position opening and, with the assistance of the City Council, screen applicants for the position of City Administrator. He or she shall exercise those administrative powers and responsibilities delegated by the Mayor as set forth herein. He or she shall exercise those administrative powers and have the responsibilities set forth herein.

SECTION 3. General authority and responsibility for the conduct and administration of municipal affairs is vested in the Mayor and/or City Administrator if so delegated by the Mayor, including appointments to positions; and the establishment and maintenance of satisfactory standards for efficiency, welfare, and morals of City employees; and the exercise of general control and supervision over all departments, officials, and positions created and approved by the City Council.

SECTION 4. Specific duties may include the following:

- a) Being available from 8:00 a.m. to 5:00 p.m. on all working days. The City Administrator will devote all of [his or her] working time and attention to the affairs of the City and be

responsible to the Mayor and City Council for the efficient administration of City affairs. The City Administrator will provide City personnel with emergency phone numbers in order to remain subject to call on nights, weekends and holidays.

- b) Compliance with Laws. See that all applicable state laws and all ordinances of the City are obeyed and enforced.
- c) Supervision. Exercise supervision and control over all departments of the City previously or hereafter created by the City Council.
- d) Personnel. Save and except statutory officers and the chief of police and officers in the police department, hire and discharge all department heads and employees of the City, and in addition, promote, demote, discipline, and take any and all other personnel actions. Before taking any action to hire or discharge any employee, the City Administrator must consult with the affected Department Head and the Mayor; and before taking any actions to hire or discharge any Department Head, the City Administrator must consult with the Mayor and City Council.
- e) Meetings. Attend all open meetings of the City Council. Attend executive sessions of the City Council unless requested not to do so by the Mayor. He or she shall have the right to participate in all discussions at those meetings of the City Council but shall have no right to vote. He or she shall be notified of all meetings of the City Council. He or she shall attend other meetings relating to City business when requested to do so by the Mayor.
- f) Franchises. See that all terms and conditions imposed in favor of the City and its inhabitants in any public utility franchise are faithfully kept and performed, and upon knowledge of any violation thereof, bring same to the attention of the Mayor.
- g) Budget. Assist the Mayor in budget matters and prepare and submit to the Mayor prior to each fiscal year a budget of proposed revenues and expenditures for the ensuing fiscal year, showing in as much detail as practicable the estimated amounts of money required for the efficient operation of the City and each of its departments and the reasons for such estimated expenditures.
- h) Monthly Accounting; Annual Audit.
 - (1) Make a full written report to City Council as soon as possible after the close of each month's accounts showing the operations and expenditures of each department of the City for the preceding month, together with such other financial information and budget expenditure comparisons as the Mayor or City Council may request. Further, he or she shall keep the City Council fully advised at all times as to the financial condition and needs of the City.
 - (2) He or she shall have the City's annual audit and annual financial statement prepared by an independent accounting firm approved by the City Council.
- i) Depository Contract; Monthly Report. Make a full written report to the City Council at least monthly showing the status of the City's accounts, investment funds, and the City's

depository contract and the security(ies) posted and pledged under said contract in accordance with state law.

- j) Contracts and Vendors; Quarterly Report. Make a full written report to the City Council at least quarterly, or at such other shorter interval as the Mayor or City Council may request, showing the status of each and every city contract or agreement (private or governmental/interlocal), each and every vendor, contractor, or consultant, and showing expenditures or receipts in accordance with said contracts and agreements.
- k) Purchasing. Supervise the purchase of all materials, supplies, services, and equipment for which funds are budgeted; propose and supervise those contracts necessary for the operation and maintenance of City services; conduct public bid openings, review all bids and proposals submitted to the City, and present for approval and recommend to the City Council those he or she deems most advantageous to the City; and insure compliance with all competitive bidding and/or competitive sealed proposal requirements of state law governing the acquisition or disposal of materials, supplies, services, equipment, and property of the City.
- l) Compensation of Employees. Recommend to the City Council and Mayor the salaries to be paid each officer, Department Head, and subordinate employee of the City.
- m) Procedures. Recommend to the City Council such procedures, practices, and measures that he or she deems necessary or advisable to promote the best interests of the City and its efficient, economical, and responsible operation.
- n) Notification of Mayor and City Council. Use his or her best efforts to notify the Mayor and each member of the City Council within forty-eight (48) hours of any alleged violation by the City or any of its officers or employees of a federal, state, or city statute, law, rule, or regulation, or of any cause of action or lawsuit against the City which may subject it to any civil, criminal, or monetary liability.
- o) Other. Perform such other duties as may be prescribed by the City Council, not inconsistent with the laws of the State of Texas governing Type A general law cities.

SECTION 5. The prior actions of the City of Eagle Lake relating to the management of the City, and matters relating thereto, are hereby ratified and affirmed.

SECTION 6. The City Administrator is hereby authorized and directed to implement the provisions of this Ordinance by means of such administrative actions as may be deemed appropriate and necessary.

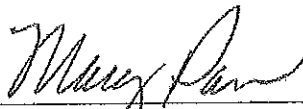
SECTION 7. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Ordinance.

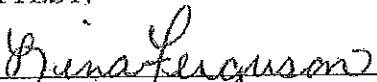
SECTION 9. Effective Date. This Ordinance shall take effect immediately upon its passage by the City Council of the City of Eagle Lake, Texas.

PASSED, APPROVED, AND ADOPTED on the 14th day of April, 2020.

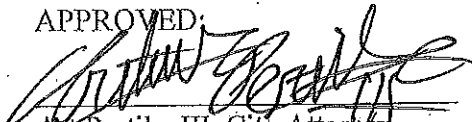
CITY OF EAGLE LAKE, TEXAS

By: 
Mary Parr, Mayor

ATTEST:


Lina Ferguson, City Secretary

APPROVED:


Art Pertile, III, City Attorney