

CITY OF WILLOW PARK

ORDINANCE NO. 486-02

AN ORDINANCE AMENDING CHAPTER 8, “PERSONNEL”, ARTICLE 8.100 “OFFICE OF THE CITY ADMINISTRATOR”, AND ARTICLE 8.200 “OFFICE OF THE CITY SECRETARY” IN THE CODE OF ORDINANCES, CITY OF WILLOW PARK, TEXAS; TRANSFERRING CERTAIN DUTIES FROM THE OFFICE OF CITY ADMINISTRATOR TO THE OFFICE OF CITY SECRETARY; ESTABLISHING CERTAIN QUALIFICATIONS; MAKING CONFORMING AMENDMENTS; PROVIDING FOR A REPEALER AND AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, Texas, is a duly incorporated and general law municipality of the State of Texas; and

WHEREAS, the City is a general law municipality with specific powers delegated to it to provide for the health, safety and general welfare of its citizens; and

WHEREAS, under the authority as provided by law and set forth in TEX. LOCAL GOVT. CODE, Title II, Subtitle B, Chapter 22, Subchapter C, “Other Municipal Officers”, is given the power to confer on municipal officers duties of that office;

WHEREAS, the governing body of the City of Willow Park is delegated the authority to apportion duties, powers and responsibilities of municipal officers among and between the various officers lawfully appointed, as provided by §22.071(c) TEX. LOCAL GOVERNMENT CODE; and

WHEREAS, the City Council finds that the effective and efficient administration of municipal affairs will be enhanced by combining and consolidating duties as provided for by TEX. LOCAL GOVERNMENT CODE §22.072

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORIZATION

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. AMENDMENT

Chapter 8, “Personnel”, Article 8.100 “Office of the City Administrator”, Section 8.103 “Nature and Duties of the Position” shall be amended as follows:

§8.101 Creation of Office

The office of City Administrator/~~Treasurer~~ is hereby established.

§8.102 Basic Function

This position is responsible for carrying out all the legal responsibilities, as defined by the State of Texas, of a City Administrator/~~Treasurer~~, and §8.103 of this section.

§ 8.103 Nature and Duties of the Position

1. As City Administrator, the incumbent shall:
 - (a) serves as an ex-officio non-voting member of the City Council of Willow Park;
 - (b) exercises responsibility for the day-to-day operation of the City through the supervision of and delegation of authority to the Police Chief, Fire Marshal, Building Inspector, Municipal Court Judge, and other employees as determined by the governing body.
 - (c) during the temporary absence or disability of the city secretary, perform the duties of the office;

- (d) assume responsibility for developing and maintaining activities, and for defining mechanisms for the citizens of the City to have adequate input into the operations of the City to insure the needs and goals of the community are met.
- (e) assume responsibility for establishing and maintaining close continuing relationships with the citizens of Willow Park, governmental and community agencies at the local, state and federal levels and with other cities in the general proximity of the City of Willow Park.
- (f) insure that adequate and effective administrative staff support is being provided for the professional activities of the City;
- (g) insure that the governing body of the City is kept current on the operating and financial needs of the city. Also, coordinates plans and requirements for growth and development of the City.
- (h) Responsible for providing adequate administrative support, and works closely with the various Boards and Commissions of the City to insure that the planning and development goals of the City are being met;

~~body directed the issuance of the order and shows the purchase price for which it is issued.~~

~~(e) Render to the governing body a full statement of the receipts and payments at the governing body's first regular meeting of every quarter, and at other times as required by the governing body.~~

~~(d) Perform other duties as required by the governing body.~~

§ 8.104 Powers and Duties

This office shall have all the powers and duties as prescribed by the State of Texas, and all ordinances, resolutions, or orders of the governing body.

§ 8.105 ~~Minimum~~ Qualifications

The City Administrator/Treasurer ~~must have graduated from an accredited college or university, with a Bachelor's Degree, in Business Administration or Public Administration and five (5) years of progressively responsible experience in local, state, or federal government. A Master's Degree in Business or Public Administration may be substituted for three (3) years of experience; or the governing body of the City of Willow Park may determine qualifications in accordance with the State of Texas local government code §22.074 must have a college degree or five years experience in administration of municipal government. Three years of experience may be met by a college degree or equivalency in the field of public administration.~~

§ 8.106 Appointment and Tenure

The city administrator shall be employed by a majority vote of the City Council with ~~no stated~~ a term of office set by contract, and may be removed from office in accordance with ~~the State of TEXAS,~~ LOCAL GOVERNMENT CODE §22.077.

SECTION 3. AMENDMENT ARTICLE 8.200

Chapter 8 "*Personnel*" Article 8.200 "*Office of the City Secretary*" shall be amended as follows:

ARTICLE 8.200 OFFICE OF CITY SECRETARY AND TREASURER

§ 8.201 Creation of Office

The office of City Secretary and Treasurer is hereby established.

~~2. As Treasurer, the incumbent shall:~~

- ~~(a) Execute a bond, the bond must:~~
 - ~~• be in favor of the municipality~~
 - ~~• be in the form and the amount required by the governing body the municipality~~
 - ~~• have security approved as sufficient by the governing body~~
 - ~~• be conditioned that the treasurer will faithfully will faithfully (sic) discharge the duties of the office~~

~~(b) receive and securely keep all monies belonging to the municipality. The Treasurer shall make all payments on the order of the mayor, attested by the secretary of the municipality under the seal of the municipality. The treasurer may not pay an order unless the face of the order shows that the governing~~

§ 8.202 Basic Function

The incumbent is responsible for carrying out all the legal responsibilities, as defined by the TEXAS LOCAL GOVERNMENT CODE §22.073 and §22.075.

§ 8.203 Nature and Duties of the Position

This office shall have all the powers and perform all the duties prescribed to it by the law. These duties shall include the following:

(a) Secretary

- (1) attend each meeting of the governing body of the municipality and shall keep, in a record provided for that purpose, accurate minutes of the governing body's proceedings;
- (2) engross and enroll all laws, resolutions, and ordinances of the governing body.
- (3) keep the corporate seal;
- (4) take charge of, arrange and maintain the records of the governing body;
- (5) countersign all commissions issued by the mayor, and keep a record of those commissions and licenses;
- (6) prepare all notices required under any regulations or ordinance of the municipality
- (7) Notify the Texas Judicial Council of the name of each person who is elected or appointed as mayor, municipal court judge, or clerk of a municipal court of the municipality;
- (8) Draw all the warrants on the treasure, countersign the warrants, and keep, in a record provided for that purpose, an accurate account of the warrants;

(b) Treasurer

- (1) Execute a bond. The bond must:
 - a. be in favor of the municipality

- b. be in the form and the amount required by the governing body the municipality
- c. have security approved as sufficient by the governing body
- d. be conditioned that the treasurer will faithfully discharge the duties of the office

(2) Keep regular accounts of the municipal receipts and disbursements, keep each cause of receipt and disbursement separately and under the proper heading. The incumbent will also keep separate accounts with each person, including each officer, who has monetary transactions with the municipality. The accounts shall credit accounts allowed by proper authority and shall specify the particular transactions to which each entry applies. The incumbent shall keep records of the accounts and other information covered by this subsection;

(3) receive and securely keep all monies belonging to the municipality. The Treasurer shall make all payments on the order of the mayor, attested by the City Administrator of the municipality under the seal of the municipality. The treasurer may not pay an order unless the face of the order shows that the governing body directed the issuance of the order and shows the purchase price for which it is issued.

(4) Render to the governing body a full statement of the receipts and payments at the governing body's first regular meeting of every quarter, and at other times as required by the governing body.

(5) Keep a register of bonds and bills issued by the municipality and all evidence of debt due and payable to the municipality, noting the relevant particulars and facts as they occur;

(6) Carefully keep all contracts made by the governing body;

(7) Perform all other duties required by law, ordinance, resolution, or order of the governing body.

§ 8.204 Minimum Qualifications

The minimum qualifications will be determined by the City of Willow Park's governing body in accordance with the State of Texas Local Government Code §22.074.

§ 8.205 Appointment and Tenure

The City Secretary shall be employed by a majority vote by the City Council with no stated term of office, and shall only be removed from office in accordance with the State of Texas Local Government Code §22.077.

SECTION 4. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 5. REPEAL OF CONFLICTING ORDINANCES

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict; in particular Ordinance 412-97 adopted by the City Council of the City Willow Park on the 18th day of November 1997 is particularly repealed.

SECTION 6. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of

this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect from and after its passage.

PASSED AND APPROVED this 20th day of August, 2002.

/s/ James H. Poythress
Mayor

ATTEST:

/s/ Candice J. Weaver
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ Rider Scott
City Attorney

The Willow Park City Council in acting on Ordinance No. 486-02, did on the 20th day of August 2002 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James H. Poythress, Mayor	_____	_____
Scott Rule, Place 1	<u> xxx </u>	_____
Terry Skaggs, Place 2	<u> xxx </u>	_____
Brad Johnson, Place 3	<u> xxx </u>	_____
Jason Ellerbusch, Place 4	<u> xxx </u>	_____
Hale Alderman, Place 5	<u> xxx </u>	_____