

TOWN OF BARTONVILLE, TEXAS

RESOLUTION 2023- _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, DECLARING LACK OF CONFIDENCE IN THE TOWN ENGINEER PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 22.077(b); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Bartonville, Texas, is a Type A general-law municipality incorporated and organized under the laws of the State of Texas; and

WHEREAS, Chris Hartke, was appointed Town Engineer by the Town Council of the Town of Bartonville, Texas (“Town Council”), on March 16, 2021, and his engineering firm, Teague Nall and Perkins, Inc. entered into a contract with the Town to provide professional engineering services to the Town, dated June 15, 2021 (the “Contract”); and

WHEREAS, Section 22.077(b) of the Texas Local Government Code provides that the governing body of a Type A general-law municipality may remove a municipal officer at any time if the governing body lacks confidence in a municipal officer appointed by the governing body, provided that two-thirds of the elected aldermen vote in favor of a resolution declaring the lack of confidence; and

WHEREAS, the Town Engineer is a municipal officer subject to the provisions of Chapter 22 of the Texas Local Government Code pursuant to Section 22.071(a) thereof; and

WHEREAS, the Town Council desires to remove the Town Engineer declaring the lack of confidence in the Town Engineer pursuant to Section 22.077(b) of the Texas Local Government Code, and to terminate the Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:

SECTION 1. FINDINGS INCORPORATED. The Town Council finds that the statements made in the preamble above are true and correct legislative determinations and incorporates them into the body of this Resolution as if fully stated herein.

SECTION 2. DECLARATION OF LACK OF CONFIDENCE. The Town Council hereby declares a lack of confidence in the Town Engineer, with at least four (4) of the elected aldermen of the Town voting in favor of this Resolution.

SECTION 3. REMOVAL OF TOWN ENGINEER. The Town Council hereby removes Chris Hartke as Town Engineer pursuant to Texas Local Government Code Section 22.077(b), and hereby directs the Town Administrator to take necessary action to terminate the Contract.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately from and after the passage and approval of this Resolution.

PASSED AND APPROVED, by a vote of _____ in favor of this Resolution, this the ____ day of February 2023.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Tammy Dixon, Town Secretary