

1.03.001 Governing Body Established; Composition; Terms

- a. The city council shall be the governing body of the city.
- b. The city council shall consist of a mayor and 5 councilmembers, all of whom shall be elected at large. The mayor and 2 councilmembers shall be elected in odd-numbered years and 3 councilmembers shall be elected in even-numbered years. The terms of the mayor and councilmembers shall be for 2 years.

(1990 Code, ch. 1, sec. 9; Ordinance 233 adopted 4/10/90; 2007 Code, sec. 30.02)

1.03.002 Powers And Duties Of Mayor

- a. Statutory powers and duties. Pursuant to the laws of the state, the mayor is authorized to exercise the following powers and perform the following duties:
 - 1) Regular powers and duties.
 - A. The mayor is the chief executive officer of the municipality. The mayor shall at all times actively ensure that the laws and ordinances of the municipality are properly carried out (TLGC §22.042(a));
 - B. The mayor shall preside at all meetings of the governing body of the municipality (TLGC §22.037);
 - C. The mayor shall give to the governing body any information and shall recommend to the governing body any measure that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or good government of the municipality (TLGC §22.042(c));
 - D. The mayor of a municipality serves as the budget officer for the governing body of the municipality, shall prepare each year a (itemized) municipal budget, may require any municipal officer or board to furnish information necessary for the budget officer to properly prepare the budget, shall file the proposed budget with the municipal clerk before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year (TLGC §102.001–005));
 - E. The mayor shall inspect the conduct of each subordinate municipal officer and shall cause any negligence, carelessness, or other violation of duty to be prosecuted and punished (TLGC §22.042(b));
 - F. The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. (TLGC §22.038(b));
 - G. The mayor shall sign the ordinances and resolutions that the mayor approves (TLGC §52.003(a));
 - H. If the mayor returns an ordinance or resolution to the governing body with a statement of objections before the fourth day after the date the ordinance or resolution is placed in the secretary's office, the

governing body shall, on the return, reconsider the vote by which the ordinance or resolution was adopted (TLGC §52.003(c));

- I. The mayor is an authorized signatory for minutes of the city council meetings, city-issued checks, and various legal documents that have been approved for execution by the city council (Texas Government Code [TGC] § 1501.155 and multiple other citations);
- J. The mayor may administer oaths of office (TLGC §22.042(d));
- K. The mayor may request the state fire marshal to investigate a fire in which property is destroyed (TGC §417.007); and
- L. The mayor may vote only if there is a tie (TLGC §22.037).

2) Emergency duties and powers.

- A. The presiding officer of the governing body of an incorporated city is designated as the emergency management director for the officer's political subdivision. An emergency management director serves as the governor's designated agent in the administration and supervision of duties under this chapter (chapter 418 of the TGC). An emergency management director may exercise the powers granted to the governor under this chapter on an appropriate local scale. An emergency management director may designate a person to serve as emergency management coordinator. The emergency management coordinator shall serve as an assistant to the emergency management director for emergency management purposes (TGC 418.1015(a) through (c));
- B. The mayor may declare a local state of disaster, may order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the mayor if the mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery, may control ingress to and egress from a disaster area under the jurisdiction and authority of the mayor and control the movement of persons and the occupancy of premises in that area (TGC §418.108(a)(f) and (g));
- C. In the event of a riot or unlawful assembly or to preserve the peace and good order in the municipality, the mayor may order and enforce the closing of a theater, ballroom, or other place of recreation or entertainment, or a public room or building and may order the arrest of a person who violates a state law or municipal ordinance in the presence of the mayor (TLGC §22.042(e));
- D. If military aid is immediately and urgently necessary to prevent or suppress violence and it is impractical to secure the aid in time by order of the governor, the mayor may call for such aid (TGC §431.112); and
- E. The mayor of a type A general-law municipality shall summon as many residents as the mayor considers necessary to serve as a special police force if the mayor considers the force necessary, special police force is subject to the orders of the mayor (TLGC §341.011).

- b. Traditional, implied, and locally grant powers and duties. Although not specifically delineated in state law, the mayor is authorized to perform the following duties and exercise the following powers, whether by tradition, implication, or by exclusive grant of the city council:
- 1) As the governing body's presiding officer the mayor, assisted by administrative staff, shall be responsible for ~~determining what items are placed on council meeting agendas; however, an agenda item not approved by the mayor shall be placed on an agenda if requested in writing by two members of the council;~~ **making sure all items that council and staff are placed on the council meeting agenda;**
 - 2) The mayor is the city's official spokesperson;
 - 3) The mayor may appoint advisory boards and committees to assist the mayor in giving information to the governing body and in recommending to the governing body any measure that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or good government of the municipality;
 - 4) The mayor is the city's official representative at various ceremonial, civic, and social functions;
 - 5) The mayor may issue official proclamations;
 - 6) The mayor, with the assistance of administrative staff, may host city-sponsored celebrations, receptions, and social events; and
- c. Other powers and duties. The mayor may exercise other powers and perform other duties as may be prescribed by state law or by the governing body of the municipality (TLGC 22.042(a)).

(Ordinance 18.07.09 adopted 7/9/18; Ordinance 2020.04.14A adopted 4/14/20; Ordinance 2021.02.08D adopted 2/8/21)

State law references—Powers and duties of mayor, V.T.C.A., Local Government Code, sec. 22.042.