

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

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS AMENDING AND REPLACING ORDINANCE NO. 724 SETTING THE COMPENSATION FOR THE MAYOR AND MEMBERS OF THE CITY COUNCIL; ESTABLISHING PROCEDURES AND FORMS FOR RECEIVING COMPENSATION; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City of Manor, Texas (the “City”) is a home-rule municipality; and

**WHEREAS**, Texas Local Government Code, Section 141.004 authorizes the City Council of the City of Manor, Texas (the “City Council”) to set the amount of compensation for each officer of the City using a tier-based structure; and

**WHEREAS**, the Mayor and City Council have reviewed and considered the terms and conditions under which they receive compensation and have determined that compensation for the Mayor and members of the City Council should be set due to the increased scope of duties and responsibilities of a legislative body working in a dynamic, growing and increasingly complex environment;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:**

**SECTION 1. Findings.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

**SECTION 2. Compensation.** The City Council hereby establishes a tier-based structure of compensation for the Mayor and members of the City Council as follows:

(1) The Mayor shall be compensated at a minimum the amount of \$875.00 per month and up to a maximum amount of \$3,500.00 per month in accordance with the tier-structure as more particularly described in Exhibit A, attached hereto and made a part hereof as if fully set forth; and each of the other members of the City Council shall be compensated at a minimum the amount of \$625 per month and up to a maximum amount of \$2,500.00 per month in accordance with the tier-structure as more particularly described in Exhibit A, attached hereto and made a part hereof as if fully set forth.

(2) The Mayor and members of the City Council shall receive compensation and have federal income tax withheld on the same basis as all other City of Manor, Texas employees.

(3) Compensation shall be received beginning with the month of October 2023.

(4) Within the earlier to occur of \_\_\_\_\_ days of the effective date of this Ordinance or within \_\_\_\_\_ days of taking office, each Councilmember shall submit to the City Secretary a completed City Council Compensation Plan using a form provided by the City that is substantially similar to that set forth in Exhibit B, in which the City Councilmember elects the compensation tier that they intend to meet. Each month on or before the report-submission deadline, each City Councilmember shall submit to the City Secretary a completed City Council Monthly Report using a form provided by the City that is substantially similar to that set forth in Exhibit C. The City Secretary to establish a monthly report-submission deadline and shall provide the deadlines to the City Council. City Council Monthly Reports must be submitted by the deadline, or compensation for the prior month will be forfeited.

(5) The City Manager shall cause the Monthly Reports to be reviewed and payment issued to Councilmembers in the amounts authorized by this Ordinance. Notwithstanding the tier elected in the Compensation Plan, City Councilmembers shall be compensated each month the amount for the tier for which they qualified based on Exhibit A and the activities and attendance reported in the Monthly Report. In the event that a Councilmember disagrees with a determination of the compensation amount, the City Councilmember shall request the determination be reviewed by the City Council by submitting a written request for Council review within \_\_\_\_\_ days of the determination.

(6) A City Councilmember may elect to decline to receive compensation by making the election on the Compensation Plan form. The City Councilmember may elect to reinstate compensation by submitting an updated completed Compensation Plan to the City Secretary. The City Councilmember shall begin to receive compensation for the month following the month in which the updated Compensation Plan is submitted. The City Councilmember will not be entitled to payment for the months in which the election to decline compensation is in effect.

(7) The City Manager is authorized to make modifications to the forms set forth in Exhibit B and Exhibit C that are consistent with this Ordinance.

**SECTION 3. Funding.** The funding for items in Section 2. above shall be provided from the Administration Salaries line item of the City’s budget for fiscal year 2023-24 until such time as the budget for fiscal year 2023-24 is formally amended by a duly passed budget amendment.

**SECTION 4. Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern. This Ordinance replaces Ordinance No. 724.

**SECTION 5. Savings Clause.** All rights and remedies of the City of Manor are expressly saved as to any and all requirements ~~violations~~ of the provisions of any ordinances affecting subdivision council compensation within the City which have accrued at the time of the effective date of this ordinance; ~~and, as to such accrued violations and all pending litigation, both civil and criminal,~~

~~whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.~~

**SECTION 6. Effective Date.** This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

**SECTION 7. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph, or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 8. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

*[signatures follow on next page]*

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PASSED AND APPROVED on this \_\_\_ day of ~~May~~November 20243.

THE CITY OF MANOR, TEXAS

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor

ATTEST:

\_\_\_\_\_  
Lluvia T. Almaraz, City Secretary

**EXHIBIT A**  
**City Council Compensation Tiers**

<u>Tier</u>	<u>Mayor</u>	<u>City Council</u>	<u>Meeting Criteria and Compensation Guidelines</u>
<u>I</u>	<u>\$875</u>	<u>\$625</u>	Regular Scheduled City Council Meetings (1st & 3rd Wednesday), Special Called Council Meetings/Workshops, Public Finance Corporation (PFC), Tax Increment Reinvestment Zone (TIRZ), Public Improvement District (PID), and other authorized public meetings (joint meetings with MISD and other state and local government agencies) Other: Community Meetings and Events
<u>II</u>	<u>\$875</u>	<u>\$625</u>	Committee Meetings - Serve on at least two (2) committees, Chair at least one (1) committee, Host a minimum of 4 meetings per year, and provide meeting notes/reports to the City Council (Quarterly- October, January, April, July -)
<u>III</u>	<u>\$875</u>	<u>\$625</u>	Schedule/attend meetings Travis County Commissioner Precinct No. 1/County Judge, State Representatives, U.S. Congressman, Host two (2) Community Meetings, and Attend/Engage H.O.A. at least one (1) event
			*Participate/Speak at TML Annual Conference, Policy Summit, or other large TML event,
<u>IV</u>	<u>\$875</u>	<u>\$625</u>	TML Region – 10 Board Member, State Board Appointments, CAPCOG, CapMetro, TEDC, CAMPO, CTRMA, and Austin Health, etc. Memberships approved by City Council
			*Active attendance and participation and providing an update to City Council is a requirement
<u>Total</u>	<u>\$3,500</u>	<u>\$2,500</u>	

Exhibit B  
City Council Compensation Plan

Exhibit C  
City Council Monthly Report