

# ORDINANCE No. 2026-04

## AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, TEXAS, AMENDING CHAPTER 16, ARTICLE 2, OF THE CODE OF ORDINANCES ADDING AN OFFICE OF CITY ADMINISTRATOR; PROVIDING A SEVERABILITY CLAUSE; REPEALING CLAUSE; AND EFFECTIVE DATE

**WHEREAS**, the City is the authority responsible for the management of all staff employed or contracted by the City of Mount Vernon; and

**WHEREAS**, in order to ensure a more efficient and timely management of all personnel, the office of the City Administrator is hereby created.

**NOW THEREFORE, THE CODE OF ORDINANCES FOR THE CITY OF MOUNT VERNON, TEXAS IS AMENDED AS FOLLOWS:**

### **Section 1. AMENDMENTS:**

The findings set forth below are incorporated into the body of this Ordinance; with deletions struck through and additions in italics:

#### **CHAPTER 16; SECTION 2 –**

*The office of city administrator is hereby established.*

#### *§ 16.02.001. Appointment and tenure.*

*The city administrator shall be appointed for an indefinite period of time and shall be subject to discharge at the will of the council. Appointment and removal shall require a majority vote of the city council. The city administrator shall be responsible to and report directly to the city council.*

#### *§ 16.02.002. Duties and powers.*

*The city administrator shall promptly and effectively execute or cause to be executed and carried out all duties and responsibilities delegated to him by the city council. Such duties and powers include:*

*(1) To devote all his working time and attention to the affairs of the city and to be responsible to the city council for the efficient administration of the city's affairs.*

*(2) To see that all provisions of federal, state, and local laws, ordinances and resolutions are enforced.*

*(3) To exercise supervision over all departments created by the council. To correlate all of the city's governmental and proprietary functions. In relation to employment and discharge of city employees, the city administrator shall neither employ nor discharge any department head without prior council approval. No city employee within a department may be employed or discharged without the prior knowledge of the department head over such employee or position. In the event the department head is in disagreement with the city administrator regarding the employment or discharge of an employee within that department, the department head shall notify the city administrator who shall delay any decision in the matter pending council action to resolve the matter.*

*(4) In regard to administrative and executive duties under the jurisdiction of the city administrator, the council and its members shall deal through the administrator, and neither the council nor any member thereof shall give orders to any subordinate of the city administrator either privately or publicly. Any willful violation of this provision by any member of the council shall constitute official misconduct.*

*(5) To attend all meetings of the council with a right to take part in the discussion but having no vote and to be notified of all special meetings of the council.*

*(6) To take to the council in timely manner all reports, documents, tax rolls, and other written documents of the city business as required by law and prudent management.*

**Section 2. ADDENDUM:**

All items affected by this amendment shall be renumbered accordingly, to accommodate additions or deletions listed above.

**Section 3. SEVERABILITY CLAUSE:**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4. REPEALING CLAUSE:**

Any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provisions of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section 5: EFFECTIVE DATE:**

This Ordinance shall become effective immediately upon its passage.

**PASSED ADOPTED AND APPROVED** this the 08th day of June, 2026

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Greg Ostertag, Mayor

**Attest:**

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Angie Pike, City Secretary