

ARTICLE 2.04 OFFICERS AND EMPLOYEES

§ 2.04.001 Duties of officers.

All the officers of the city shall exercise and discharge all the duties in their respective offices as prescribed by law and such other duties as the city council shall from time to time impose.

(Ordinance 17 adopted 12/5/1907)

§ 2.04.002 Duties and role of city manager and council members.

- (a) The power to appoint and dismiss the city manager shall rest exclusively with the city council. The authority to hire and fire the city manager shall not be exercised by a vote of the electorate or by an independent citizen board or other entity.
- (b) Although the authority to approve the city budget lies with the council, the authority to prepare and execute the budget shall be vested solely in the manager. Department heads and other subordinates shall be explicitly prohibited from bypassing the city manager and submitting their budgets directly to the council. The city manager shall be accountable for the sound administration of the city's financial operations.
- (c) The city manager shall have the right, on his/her own initiative, to appoint and remove the heads of city departments and to act with unilateral authority over any city employee pursuant to the most current city employee manual as adopted by the city council. City department heads and employees are hereby precluded from reporting directly to the council, and shall assume that the council will hold the manager, rather than his/her subordinates, accountable for the performance of city personnel.
- (d) The city secretary and municipal judge are exceptions to the city manager's unilateral authority, and will be hired and(or) terminated by council vote after the city manager has made a recommendation. For daily operations the city secretary will report up through the city manager and the municipal judge will report up through the mayor.
- (e) Members of the city council shall have the right, upon request to the city manager, and on a schedule mutually agreeable to the city manager or his/her delegated representative to visit facilities of the city not normally open to the public. Touring of areas closed to the public will be done only while accompanied by either the city manager or his/her delegated representative. Areas specifically included as closed to the public are all the areas at the city lake water plant including the dam, the waste water treatment plant, vertical water storage towers, light plant pump station and all the city's various lift stations. These areas are inherently dangerous, and are off limits.
- (f) The sole role of the city council is to act as the final authority on all of the many policy decisions that determine the scope and functions of the city government. Councilmembers shall refrain from giving direction, orders and direct or indirect supervision of city department heads and general city employees and instead should submit such requests directly to the city manager. Except during scheduled meetings pursuant to the Texas Open Meetings Act, councilmembers are private citizens. Violation of this ordinance by a member of the council shall constitute official misconduct as described by Tex. Loc. Gov't Code Ann. § 21.025.

(Ordinance 316 adopted 1/21/2020)