

CITY OF SANGER, TEXAS

RESOLUTION NO. 2024-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS, ADOPTING PROCEDURES FOR REVIEW OF COMPLAINTS REGARDING CITY EMPLOYEES APPOINTED BY THE CITY COUNCIL OR ANY MEMBER OF A CITY BOARD, COMMISSION OR COMMITTEE; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Sanger (the “City”) is authorized by its Home Rule Charter to appoint individuals to serve as the City Manager, the City Attorney, the Municipal Court Judge and any Alternate Judges, and the Municipal Court Clerk, and others as may be authorized from time to time pursuant to the Charter, the Code of Ordinances and/or applicable state law; and

WHEREAS, the members of various City Boards, Commissions and Committees are appointed by the City Council and generally serve at the will of the City Council; and

WHEREAS, on occasion, the City Council initiates or may be asked to review and/or investigate matters or issues involving any of the foregoing City Council-appointed individuals, and the City Council acknowledges that the City’s personnel rules do not apply to the foregoing individuals; and

WHEREAS, it is the desire of the City Council to adopt general procedures to assist it in the event that the City Council deems it necessary to review and/or investigate any of the foregoing City Council-appointed individuals; and

WHEREAS, the procedures outlined in this Resolution may be modified by the City Council and nothing in these procedures shall create any property interest in a position or any due process rights under state or federal law, and any deviation from the procedures outlined herein shall not give any individual a cause of action for any different or modified procedure followed by the City Council; and

WHEREAS, the City Council, after careful consideration, hereby adopts the following procedures for the review and/or investigation of the foregoing City Council-appointed individuals; and

WHEREAS, the City Council finds that the passage of this Resolution is in the best interests of the citizens of Sanger.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. In the event the City Council initiates or is asked to review and/or investigate matters or issues involving any of the foregoing City Council-appointed individuals referenced in the Preamble to this Resolution, the City Council may do any of the following acts in support of such review and/or investigation:

1. Appoint an individual (or individuals) to assist in such review and/or investigation, and such individual(s) may include, but not limited to, an attorney, law enforcement personnel, or a subject matter expert on the matter or incident to be reviewed and/or investigated;
2. Provide guidance and direction to the individual so appointed, if deemed necessary by the City Council;
3. Prepare and have prepared a statement of the matters or issues to be reviewed and/or investigated, and provide same to the individual who is the subject of same;
4. The individual(s) referenced in Paragraph 1, above, may provide a report (either verbally or in writing) to the City Council summarizing the findings of the review and/or investigation, and may provide recommendations or a suggested response by the City Council to the matters and issues so reviewed and/or investigated; and
5. The City Council may take any action it deems prudent, advisable or necessary, including no action, as a result of any such review and/or investigation.
6. Any deviation from the procedure outlined herein does not give, and shall not be deemed to give, any individual a cause of action for any different or modified procedure followed by the City Council.

SECTION 3. Any prior resolutions inconsistent with the provisions of this Resolution are hereby superseded and repealed.

SECTION 4. This Resolution shall become effective from and after its date of passage.

PASSED AND APPROVED THIS THE 5TH DAY OF AUGUST 2024.

APPROVED:

ATTEST:

Thomas E. Muir, Mayor

Kelly Edwards, City Secretary