

ORDINANCE NO. 2018-

AN ORDINANCE AMENDING ORDINANCE 2010-19 TO CLARIFY THAT THE MAYOR HAS THE AUTHORITY TO APPOINT ALL MEMBERS OF THE CITY'S BOARDS, COMMISSIONS AND AGENCIES, SUBJECT TO CONFIRMATION BY THE CITY COUNCIL

WHEREAS, on May 8, 2010, the City of League City held a general election to consider the adoption of several Charter propositions; and

WHEREAS, on May 18, 2010, the City Council adopted the results of the election through Ordinance 2010-19, including Proposition 4, which gave the Mayor the exclusive power "to appoint officers for boards, commissions and agencies of the City, subject to confirmation by the City Council"; and

WHEREAS, the City Council wishes to amend Ordinance 2010-19 to give more accurate effect to the passage of Proposition 4; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That Ordinance 2010-19 is hereby amended so that the following sections of the City Charter shall read as follows:

Article II, Section 17. – Appointive officers.

The City Council shall appoint a competent person to be City Secretary, who may also be Treasurer and Assessor and Collector of Taxes of the City and may perform such other duties as the City Council may prescribe. He shall, before entering upon the duties of his office, give a good and sufficient bond of not less than five thousand dollars (\$5,000.00), the amount thereof to be fixed by the City Council, and said bond to be improved by said City Council and filed and recorded in the minutes thereof. Said City Secretary shall be invested and charged with, and shall exercise all the powers, rights, and duties conferred upon the imposed by the General Laws of Texas, upon the Clerk, Treasurer, and Assessor and Collector of Taxes of cities and towns, except such powers, rights and duties as the City Council may by ordinance delegate to another and shall exercise such other power and rights and perform such other duties as may be prescribed by ordinance of the City Council.

The City Council shall also have the power and authority by ordinance to create such boards, commissions, agencies and offices, in addition to those specially provided for by this Charter, or by the laws of the State of Texas, and to provide for the expense and operation of same and the compensation to be paid such members, officers, and/or employees, as it may deem advisable. The Mayor shall have the exclusive power to appoint members for boards, commissions and agencies of the City, subject to confirmation by the City Council. Such boards, commissions, agencies, and officers shall have all the powers and privileges and perform the duties that may be prescribed by ordinance, and the City Council may abolish, at any time it may see fit, any board, commission, agency or office which it creates, and may discharge any appointed officer, member, or employee; provided the offices of City Secretary may not be abolished under the terms of this section.

Article II, Section 19. - General Powers of the city council.

The City Council shall be the only entity that has the power to adopt the budget, adopt ordinances which levy fines for violations thereof, and approve contracts requiring competitive bidding or for which another required procurement method is provided, when such bidding or procurement method is required by State law, as such laws may hereafter be amended. The City Council shall delineate the general policy and programs that the City will adopt to serve the public. The City Council shall nominate and appoint the office of City Attorney, City Secretary and the Municipal Judges.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective upon its passage.

Section 7. Notice to Secretary of State. The City Manager is authorized to certify to the Secretary of State an authorized copy of this charter amendment under the City's seal in compliance with section 9.007 of the Texas Local Government Code.

PASSED first reading the ____ day of _____, 2018.

PASSED second reading the ____ day of _____, 2018.

PASSED AND ADOPTED the ____ day of _____, 2018.

PAT HALLISEY
Mayor

ATTEST:

DIANA STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney