

ORDINANCE NO. 260

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS; CREATING THE OFFICE AND POSITION OF CITY ATTORNEY; PRESCRIBING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY ORDINANCE, THE POWERS AND DUTIES OF THE CITY ATTORNEY; AND PROVIDING FOR: REPEAL OF CONFLICTS, SEVERABILITY, A SAVINGS CLAUSE, MEETING OPEN TO THE PUBLIC AND AN EFFECTIVE DATE.

WHEREAS, the City of Uhlend, Texas is a Type A general law City incorporated and functioning as such under the provisions of Chapter 11, Title 28, Revised Civil Statutes of Texas, 1925, as amended; and

WHEREAS, Section 22.071 of the Texas Local Government Code provides that a Type A general-law municipality may appoint municipal officers by ordinance; and

WHEREAS, Section 22.072 of the Texas Local Government Code provides that the members of the governing body of the City of Uhlend, Texas may require a municipal officer whose duties are prescribed by the Texas Local Government Code to perform additional duties; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS:

SECTION 1. CREATION OF THE OFFICE AND POSITION OF CITY ATTORNEY.

The City Council of the City of Uhlend, Texas hereby officially creates the office and position of City Attorney for the City of Uhlend, Texas. The City Attorney serves as an appointed officer of the City and may be a contract position or a salaried employee position of the City. The total operating budget allocation for the office of City Attorney shall be provided as a designated line item in the City's budget each fiscal year to include the City Attorney's compensation.

SECTION 2. APPOINTMENT OF CITY ATTORNEY; SUPERVISION; REMOVAL.

The City Council of the City of Uhlend, Texas shall appoint the City Attorney by Ordinance. The person appointed to serve as the City Attorney shall serve at the discretion and direction of the City Council. The City Attorney may be removed from office only by City Ordinance.

SECTION 3. POWERS AND DUTIES.

The City Attorney shall faithfully perform the powers and duties as necessary to protect the best interests of the City of Uhlend, Texas in accordance with the Texas Rules of Professional Conduct in addition to the following essential powers and duties as hereby prescribed:

1. Serve as the Chief Legal Officer for the City. Ensure the legal operation of the City by directing and managing the necessary policies and procedures of the City.

2. Supervise and coordinate the preparation of an annual budget for the City Attorney's office. Direct the implementation of and manage the office's budget.
3. Manage and coordinate the staffing needs of the City Attorney's office based on City needs and budget constraints to include deputy City Attorneys, paralegals, contract outside counsels, and other City Attorney office personnel.
4. Supervise and manage the City Attorney office to include the day-to-day operations of the office and personnel to ensure efficient operations of the City Attorney's Office.
5. Analyze, recommend, and implement improvements to the office's equipment and facilities as needed and within the office's budget.
6. Coordinate with the City Secretary to ensure necessary and regular City Official and City Personnel training. Attend or designate personnel to attend conferences and meetings to keep abreast of current laws and legislation regarding local government.
7. Prepare and submit periodic reports to the City Council upon request and prepare a variety of other reports as needed and appropriate.
8. Meet with elected officials, board and council members, law enforcement officials, community and business representatives and the public as needed to carry out the duties of the city attorney's office or as directed by the City Council. Participate in various committees, as available.

The City Attorney shall abide by and be subject to all City of Umland Personnel Policies.

SECTION 4. CONFLICT.

All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY.

If any section, subsection, paragraph, clause, phrase, or provision of this ordinance or the application of any section, subsection, paragraph, clause, phrase, or provision to any person or circumstance is adjudged to be invalid, the invalidity shall not affect other section, subsection, paragraph, clause, phrase, or provision or applications thereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. SAVINGS CLAUSE.

This Ordinance shall remain in full force and effect, save and except as amended or repealed.

SECTION 7. MEETING OPEN TO PUBLIC.

It is hereby found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that the public notice of the time, place and purpose of said meeting was given as required.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective upon passage and approval.

PASSED, APPROVED and ADOPTED ON the 7th **day of** April,
2021.

Ayes 5 **Nays** 0 **Abstain** 0

Vicki Hunter

Vicki Hunter, Mayor

ATTEST:

Kimberly Weatherford

Kimberly Weatherford, City Secretary