

# **CITY OF SPRING BRANCH, TEXAS**

## **ORDINANCE NO: 2015-3**

### **AN ORDINANCE ESTABLISHING THE CITY OFFICE OF CITY SECRETARY/CLERK; PROCEDURE FOR APPOINTMENT, TENURE, COMPENSATION, DUTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.**

**WHEREAS**, in accordance with Section 24.051 of the Texas Local Government Code, the City Commission of Spring Branch, Texas has determined that it is necessary to establish the Office of the City Clerk; and

**WHEREAS**, the City Clerk shall notify the Texas Judicial Council of the name of each person who is elected or appointed as mayor, municipal court judge, or clerk of a municipal court of the municipality. The City Clerk shall notify the judicial council within 30 days after the date of the person's election or appointment; and

**WHEREAS**, the City Clerk shall draw all warrants on the treasury, countersign the warrants and keep in a record provided for that purpose, an accurate account of the warrants; and

**WHEREAS**, the City Clerk serves as the general accountant of the municipality and shall keep regular accounts of the municipal receipts and disbursements. The City Clerk shall keep each cause of receipt and disbursement separately and under proper heading. The City Clerk shall also keep separate accounts with each person, including each officer, who has monetary transaction with the municipality. The City Clerk shall credit accounts allowed by proper authority and shall specify the particular transaction to which each entry applies; and

**WHEREAS**, the City Clerk shall keep a register of bonds and bills issued by the municipality and all evidence of debt due and payable to the municipality, noting the relevant particulars and facts as they occur; and

**WHEREAS**, the City Clerk shall perform all other duties required by law, ordinance, and resolution of the governing body.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SPRING BRANCH, TEXAS:**

**SECTION 1.** The facts and matters set out above in the recitations are found to be true and correct.

**SECTION 2. OFFICE ESTABLISHED.**

That the office of City Clerk is hereby established. The City Clerk may also be known as the City Secretary.

**SECTION 3. APPOINTMENT OF CITY CLERK**

The city clerk shall be appointed by the Mayor, subject to an affirmative vote of the City Commission.

**SECTION 4. TERM OF CITY CLERK**

The City Clerk shall serve for such a term as the Mayor may desire.

**SECTION 5. COMPENSATION OF CITY CLERK**

The compensation of the City Clerk shall be as from time to time determined by the City Commission.

**SECTION 6. GENERAL DUTIES OF CITY CLERK**

- a. The City clerk shall perform duties prescribed by Texas Local Government code Sec 22.073 and other duties that may be required by law, ordinance, resolution or order of the City Commission
- b. The City Clerk shall attend every meeting of the City Commission and keep accurate minutes of the proceedings thereof and file such minutes of record, and to engross and enroll all laws, resolutions and ordinances of the commission, to keep the corporate seal and take charge of and preserve and keep in order all books, records, documents, contracts, letters and files of the City Commission.
- c. The City Clerk shall countersign all commissions issued to city officers and all licenses issued by the city and keep an accurate record or registry thereof, and make out and issue all notices required under any ordinance or resolution of the City Commission.



- d. The City Clerk shall function as the Public Information Officer for the city and shall provide information to the public and media as required by law, city ordinance or lawful order.

#### **SECTION 7. REMOVAL**

- a. The City Commission may remove the City Clerk for incompetency, corruption, misconduct or malfeasance in office after providing the officer with due notice and an opportunity to be heard.
- b. If the City Commission lacks confidence in the City Clerk, the Commission may remove the officer at any time. The removal is effective only if two-thirds of the City Commission votes in favor of a resolution declaring lack of confidence.

#### **SECTION 8. SEVERABILITY**

If any section, paragraph, sentence, clause, phrase or word of this ordinance of the application thereof to any person or circumstance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portion of this ordinance, and the City Commission hereby declares that it would have passed such remaining portions despite invalidity or unconstitutionality.

#### **SECTION 9. AMENDMENT OR REPEAL**

A two-thirds (2/3) vote of the City Commission shall be required to amend, abolish or supersede this ordinance.

**PASSED, APPROVED AND ADOPTED THIS 29<sup>TH</sup> DAY OF DECEMBER, 2015.**

  
James A. Mayer, Mayor

**ATTEST:**

  
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