

ORDINANCE NO. 017-99

AN ORDINANCE OF THE CITY OF DELEON, TEXAS, PROVIDING FOR THE ADOPTION AND REVISION OF PERSONNEL POLICIES AND PROCEDURES APPLICABLE TO CITY PERSONNEL; MAKING DECLARATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, it is necessary and reasonable for the City of DeLeon to provide, modify and amend policies, rules, regulations and procedures governing the terms of employment, benefits, advancement, service and discipline of the officers, employees and personnel of the City;

Whereas, it is important to the economic and efficient provision of public services that the City provide a progressive personnel and employment program that is balanced in a manner to also provide reasonable protection and safety for co-workers, the public and the City organization; and

Whereas, modern and progressive personnel programs and policies should provide reasonable benefits and protection for the public at large, the City and the employees;

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

Section 1. Personnel Policies and Procedures. The City shall adopt and, from time to time as necessary and advisable, amend, modify, review and revise comprehensive personnel policies and procedures that shall be applicable to the officers and employees of the City. The City Manager shall cause such policies and procedures, and any proposed modifications or amendments, to be drafted, prepared and recommended to the City Council for review and action as necessary to serve the best interests of the City and its employees and citizens.

Section 2. City Council Approval. All personnel policies and procedures of the City, and all revisions, modifications and amendments thereto, shall be approved by the City Council, in its discretion, by resolution, and no such policies, procedures, revisions, modifications or amendments shall be in effect except as approved by the City Council acting by resolution. Such policies, procedures, rules and regulations as are approved by resolution of the City Council shall be and remain in effect until thereafter repealed, modified or amended by resolution, and all, or any part of, such policies, procedures, rules, regulations, revisions, modifications and amendments may be repealed, deleted, modified or amended, at anytime by the City Council acting in its discretion.

Section 3. Employment Contracts. The personnel policies and procedures, rules and regulations of the City shall never be construed or interpreted to create or result in any contract for employment, or to create, establish or result in any officer or employee of the City having or

obtaining a property interest in any job, position, employment or future benefit with the City. The City of DeLeon is an at-will employer and it is the policy of the City of DeLeon and required by the Charter that all officers and employees of the City that shall be employees at-will. Save and except for a written contract executed by and between the City and an individual officer or employee, if any, which written contract is approved by majority vote of the City Council, acting at a duly noticed public meeting, with the advice and counsel of the city attorney, no officer or employee of the City shall have and obtain, by implication or otherwise, any employment contract with the City.

Section 4. Interpretation and Construction. The personnel policies and procedures, rules and regulations of the City, as approved by resolution from time to time, shall be interpreted and construed consistent with this ordinance and in a manner consistent with the City being and remaining an at-will employer.

Section 5. Repeal of Conflicting Ordinances. All ordinances, parts of ordinances and sections of the City Code of Ordinances in conflict with this ordinance are hereby amended and repealed to the extent of such conflict. Any and all personnel policies, rules and regulations of the City heretofore adopted and in effect are hereby repealed.

Section 6. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof 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 7. Effective Date. This ordinance shall take effect immediately from and after its passage and signature by the Mayor.

Section 8. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

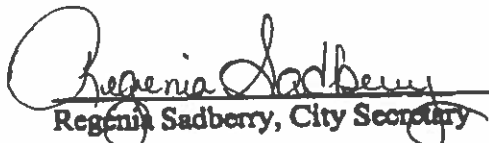
Section 9. Pursuant to Article VII, Section 10 of the City Charter the requirement for reading of this Ordinance at two meetings of the City Commission is waived.

Passed and adopted on this 23 day of November, 1999.

THE CITY OF DE LEON, TEXAS

Attest::


Norma Jo Locke, Mayor


Regenia Sadberry, City Secretary