

**CITY OF CRANDALL, TEXAS**

**ORDINANCE NO. 090408A**

**AN ORDINANCE OF THE CITY OF CRANDALL, TEXAS, AMENDING CHAPTER 8, "PERSONNEL," SECTION 4, "CITY MANAGER," OF THE CODE OF ORDINANCES OF THE CITY OF CRANDALL, TEXAS, BY ADDING A NEW SUBSECTION (E), "ADDITIONAL POWERS AND DUTIES," ADDRESSING THE ADDITIONAL POWERS AND DUTIES OF THE CITY MANAGER; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS,** the eligible voters of the City of Crandall, Texas, previously have adopted a City Manager form of government authorized by Chapter 25 of the Texas Local Government Code; and

**WHEREAS,** Section 25.029(b) of the Texas Local Government Code provides the authority for the City Council of the City of Crandall, Texas ("City Council"), to delegate to the City Manager by City ordinance any additional powers or duties the governing body considers proper for the efficient administration of municipal affairs; and

**WHEREAS,** Chapter 8, "Personnel," Section 4, "City Manager," of the Code of Ordinances of the City of Crandall, Texas, provides for the creation, qualifications, powers and duties of the office of City Manager; and

**WHEREAS,** Chapter 8, Section 4C, "Powers and Duties," of the Code of Ordinances of the City of Crandall, Texas, also provides that the City Council by ordinance may delegate to the City Manager any additional powers and duties it considers proper for the efficient administration of the City's affairs.

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

**SECTION 1. FINDINGS INCORPORATED**

The recitals set forth above are hereby found to be true and correct and are incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

**SECTION 2. ADDITION OF SUBSECTION (E), "ADDITIONAL POWERS AND DUTIES"**

Chapter 8, Section 4 of the Code of Ordinances of the City of Crandall, Texas, is hereby amended by adding a new subsection (E), which shall read as follows:

“E. ADDITIONAL POWERS AND DUTIES

- (1) Utility Accounts. If the City Manager determines that the City has undercharged or overcharged a water, sewer or solid waste utility account (“Claim”), the City Manager shall have authority to take action regarding any such Claim, up to and including Fifteen Hundred and no/100 Dollars (\$1,500.00), in the following manner:
  - (a) Charge the customer at the applicable service address the unpaid amount;
  - (b) Adjust the current monthly utility bill to a fair and equitable amount; or
  - (c) Refund the excess payment or overcharge made by the most recent customer at the service address, limited as provided by Section 16.004 of the Texas Civil Practices and Remedies Code (four-year statute of limitations period), or other applicable state law.

(Ordinance adopted September 18, 2008)”

**SECTION 3. REPEALER CLAUSE**

This Ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Crandall, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 4. SAVINGS CLAUSE**

The City of Crandall Code of Ordinances remains in full force and effect, save as amended herein.

**SECTION 5. SEVERABILITY CLAUSE**

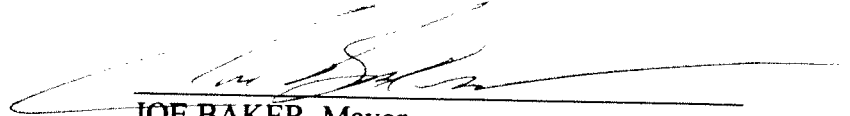
It is the intent of the City Council that each paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be deemed severable, and should such paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of this Ordinance left standing, or the validity of any other ordinances of the City of Crandall.

**SECTION 6. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage.

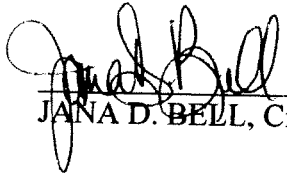
**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Crandall, Texas, on this the 18th day of September, 2008.

THE CITY OF CRANDALL, TEXAS

  
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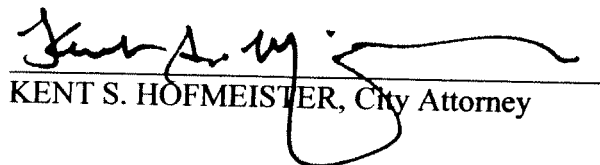
JOE BAKER, Mayor

ATTEST:

  
A handwritten signature in black ink, appearing to read "Jana D. Bell", is written over a horizontal line.

JANA D. BELL, City Secretary

APPROVED AS TO FORM:

  
A handwritten signature in black ink, appearing to read "Kent S. Hofmeister", is written over a horizontal line.

KENT S. HOFMEISTER, City Attorney

RESOLUTION NO. 100199 R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRANDALL, TEXAS, ESTABLISHING AUTHORITY OF THE CITY MANAGER TO EXPEND FUNDS OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRANDALL, TEXAS:**

**SECTION 1.** That the City Manager is hereby granted authority to make purchases, execute contracts, and approve change orders for the City, and to do anything which is proper, usual and necessary to exercise such authority, within the limits of this Resolution.

**SECTION 2.** The City Manager or designee shall make all purchases for the City of all personal property necessary for the functions of the City. All purchases of personal property and contracts for construction, repair, services, high technology procurements, or any other municipal purpose that require an expenditure of \$15,000 or less, regardless of the source of funds, whether for consumables, recurring expenses, capital outlay, or replacement shall be made by the City Manager upon such basis as may be deemed necessary and advisable. If the expenditure is more than \$3,000, the City Manager shall follow the procedures for contacting disadvantaged businesses prescribed in Section 252.0215 of the Texas Local Government Code, as amended. All such purchases and contracts may be made by the City Manager as provided in this section without further City Council action.

**SECTION 3.** A contract for personal or professional services requiring an expenditure of \$15,000 or less may be authorized by the City Manager without further City Council action. A contract for personal or professional services requiring an expenditure exceeding \$15,000 must be authorized by the City Council.

**SECTION 4.** For purchases of personal property and contracts for construction, repair, services, or any other lawful municipal purpose requiring an expenditure exceeding \$15,000, and required by state law to be competitively bid, the City Manager shall follow the procedure set forth in Chapter 252 of the Texas Local Government Code.

**SECTION 5.** The City Manager, with the written concurrence of the City Engineer, is authorized to approve change orders on City construction and engineering contracts without further approval from the City Council so long as the change will not increase the cost to the City by more than \$25,000, provided that the original contract price may not be increased by more than 25%, or decreased by more than 25% without the consent of the contractor .

**SECTION 6.** In no instance will the authority granted by this Resolution be construed so as to be in conflict with the Texas Local Government Code, Chapter 8 of the Code of Ordinances, Ordinance No. 921-1995, as amended, or the ordinance delegating additional powers and duties to the City Manager by the City Council.

**SECTION 7.** In no event can the City Manager expend or authorize the expenditure of any sum of money unless such sum is specifically set out in the annual municipal budget and when funds have been appropriated for such budgeted item.

**SECTION 8.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

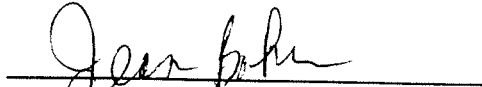
**DULY PASSED** by the City Council of the City of Crandall, Texas, on the 1 day of October, 1998.

**APPROVED:**

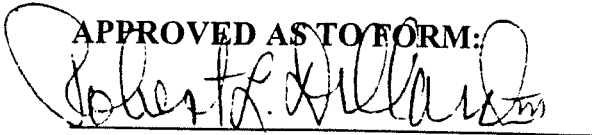


**MAYOR**

**ATTEST:**

  
**CITY SECRETARY**

**APPROVED AS TO FORM:**



**CITY ATTORNEY**

(RLD/sb 9-23-98)

ORDINANCE NO. 100198

**AN ORDINANCE OF THE CITY OF CRANDALL, TEXAS, PROVIDING  
ADDITIONAL POWERS AND DUTIES FOR THE CITY MANAGER;  
AMENDING ORDINANCE NO. 921-1995 TO PROVIDE FOR SETTING A  
SALARY FOR THE CITY MANAGER; REPEALING ALL ORDINANCES IN  
CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapter 8, Section 4, of the Code of Ordinances of the City of Crandall provides that the City Council by ordinance may delegate to the City Manager any additional powers or duties it considers proper for the efficient administration of the City's affairs; and

WHEREAS, the City Manager is required by law to administer the municipal business and the City Council is required to ensure that the administration is efficient; Now, Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CRANDALL, TEXAS:**

**SECTION 1.** That the City Manager be, and is hereby, delegated the following Additional powers and duties considered by the City Council to be proper for the efficient Administration of municipal affairs, as required by Chapter 8, Section 4, of the Code of Ordinances of the City of Crandall and by Section 25.029(b) of the Local Government Code, to wit:

- (1) Plan, direct and review the overall activities and operations of the City; coordinate City activities with other agencies and organizations; provide highly responsive and competent administrative support to the Mayor and City Council.
- (2) Receive policy direction, support and input from the Mayor and City Council.
- (3) Exercise direct and indirect supervision over all City employees, using sound management practices. Exercise authority to hire, fire and discipline employees according to the personnel policies adopted by the City Manager. Personnel policies will be approved of the City Council. Monitor and direct the training, motivation, workload and performance evaluations of City personnel. Manage staffing changes with recommendations from department heads.

- (4) Develop, plan, implement, and present ideas to the Mayor and City Council to support the goals and objectives of the City. Manage the resources to achieve the goals and objectives.
- (5) Develop, recommend and administer ordinances, rules, regulations, policies and procedures.
- (6) Prepare each year a municipal budget for the ensuing fiscal year. Manage short and long range financial goals of the City. Direct the forecast of funds needed for City staffing, equipment, supplies, facilities and activities. Assure the financial integrity of the City, and the development and implementation of financial systems and controls. Make recommendations and advise the Mayor and City Council of the financial condition of the City. Monitor and approve expenditures of the City.
- (7) Strive to maintain good public relations among citizens, professional groups and the City. Respond to and resolve citizen inquiries and complaints.
- (8) Attend all City Council meetings. Prepare City Council agenda.

**SECTION 2.** That Section 2 of Ordinance No. 921-1995 be, and the same is Hereby, amended to read: "That the salary of the City Manager is hereby established at \$48,477.41 for fiscal year 1998-1999, plus all reasonable and necessary expenses incurred by the City Manager in conducting the business of the City. The salary of the City Manager in subsequent fiscal years shall be established in the budget ordinance or in Ordinance establishing the classification and salary of City employees."

**SECTION 3.** Ordinance No. 090596 and all other ordinances of the City of Crandall in conflict herewith are hereby repealed, and all provisions of the ordinances of the City of Crandall not in conflict herewith shall remain in full force and effect.

**SECTION 4.** This Ordinance shall take effect immediately from and after its passage as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Crandall, Texas, on the 1<sup>st</sup> day of October, 1998.

**APPROVED:**

A handwritten signature in cursive script, appearing to read "Jordan S. Baker", written over a horizontal line.

**MAYOR**

**ATTEST:**

A handwritten signature in cursive script, appearing to read "Jean Baker", written over a horizontal line.  
**CITY SECRETARY**

ORDINANCE NO. 090596

**AN ORDINANCE OF THE CITY OF CRANDALL, TEXAS, PROVIDING  
ADDITIONAL POWERS AND DUTIES FOR THE CITY MANAGER; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 8, Section 4, of the Code of Ordinances of the City of Crandall provides that the City Council by ordinance may delegate to the City Manager any additional powers or duties it considers proper for the efficient administration of the City's affairs; and

**WHEREAS**, the City Manager is required by law to administer the municipal business and the City Council is required to ensure that the administration is efficient; Now, Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRANDALL,  
TEXAS:**

**SECTION 1.** That the City Manager be, and is hereby, delegated the following additional powers and duties considered by the City Council to be proper for the efficient administration of municipal affairs, as required by Chapter 8, Section 4, of the Code of Ordinances of the City of Crandall and by Section 25.029(b) of the Local Government Code, to wit:

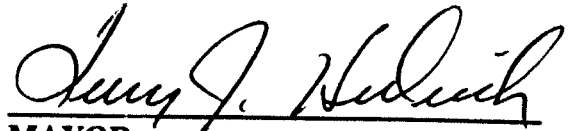
- (1) Plan, direct and review the overall activities and operations of the City; coordinate City activities with other outside agencies and organizations; provide highly responsible and competent administrative support to the Mayor and City Council.
- (2) Receive policy direction from Mayor and City Council.
- (3) Receive support and input from Mayor and City Council.
- (4) Exercise direct and indirect supervision over all employees.
- (5) Authority to hire, fire and discipline employees.
- (6) Develop, plan and implement city goals and objectives.
- (7) Develop, recommend and administer ordinances, rules, regulations, policies and procedures.

- (8) Direct, oversee and participate in development of the budget and long range work plan.**
- (9) Assign work activities, projects and programs.**
- (10) Monitor work load; Review and evaluate work product.**
- (11) Direct the forecast of funds needed for city staffing, equipment, supplies, facilities and activities.**
- (12) Monitor and approve expenditures; adjust as necessary.**
- (13) Participate with professional groups and attend seminars.**
- (14) Present ideas and plans for the city to Mayor and City Council.**
- (15) Direct the training, motivation, and evaluation of personnel.**
- (16) Recommend staffing changes to the City Council; consult with Department Heads.**
- (17) Work with staff to correct deficiencies.**
- (18) Respond and resolve citizen inquiries and complaints.**
- (19) Represent the city before the public at functions.**
- (20) Strive to maintain good public relations between the citizens and city.**
- (21) Provide effective communication to and from Mayor and City Council to various boards and committees.**
- (22) Ensure departmental activities conform to Codes and Ordinances; require sound management practices.**
- (23) Assure financial integrity; develop and implement financial systems and controls.**
- (24) Attend all City Council meetings; review the agenda.**
- (25) Make recommendations and advise Mayor and City Council of financial condition of the City.**

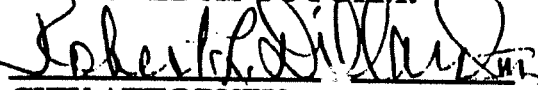
**SECTION 2.** This Ordinance shall take effect immediately from and after its passage as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Crandall, Texas, on the 5 day of September, 1996.

**APPROVED:**

  
MAYOR

**APPROVED AS TO FORM:**

  
CITY ATTORNEY  
(RLD/sgb 8-30-96)

**ATTEST:**

  
CITY SECRETARY

ORDINANCE NO. 921-1995

**AN ORDINANCE OF THE CITY OF CRANDALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRANDALL BY AMENDING CHAPTER 8 TO ADD SECTION 4: CITY MANAGER; ESTABLISHING QUALIFICATIONS OF THE CITY MANAGER; ESTABLISHING POWERS AND DUTIES OF THE CITY MANAGER; REQUIRING THAT THE CITY MANAGER POST A BOND; ESTABLISHING SALARY OF THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the residents of the City of Crandall, having petitioned for a special election to determine whether the City should adopt a City Manager form of government, the City Council called such special election; and

**WHEREAS**, at such special election, a majority of the qualified voters of the City voting in such election approved a proposition to adopt the city manager form of government in the City of Crandall; and

**WHEREAS**, it is necessary to establish the qualifications, term of office, powers and duties, bond, and salary of the City Manager by ordinance; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRANDALL, TEXAS:**

**SECTION 1.** That the Code of Ordinances of the City of Crandall, as heretofore amended, be, and the same is hereby, amended by amending Chapter 8 to add Section 4, to read as follows:

**"SECTION 4: CITY MANAGER**

**A. OFFICE CREATED**

The office of City Manager is hereby created. Pursuant to Chapter 25 of the Texas Local Government Code, the City of Crandall shall hereafter, until such system is abolished in accordance with law, operate under the city manager form of government as established by Chapter 25 and this Section.

**B. QUALIFICATIONS**

The City Manager shall be appointed solely on the basis of the person's administrative ability. The City Manager is not required

to meet any residency qualifications. The City Manager is appointed by and serves at the will of the City Council of the City of Crandall.

C. POWERS AND DUTIES

The City Manager shall administer the City's business and the City Council shall ensure that the administration is efficient. The City Council by ordinance may delegate to the City Manager any additional powers or duties it considers proper for the efficient administration of the City's affairs.

D. BOND REQUIRED

The City Manager shall execute a bond, payable to the City, conditioned that he or she will faithfully perform the duties of City Manager. The amount of the bond will be prescribed by ordinance of the City Council. Such bond shall be a corporate surety bond and the City shall pay all costs, premium, and expense connected therewith."

**SECTION 2.** That the salary of the City Manager is hereby established at \$ 25,000.00 per YEAR, plus all reasonable and necessary expenses incurred by the City Manager in conducting the business of the City.

**SECTION 3.** That the bond of the City Manager is hereby set at \$ 50,000.00. The City Manager is required to execute the bond in such amount, as required by Chapter 8, Section 4, of the Code of Ordinances.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Crandall, Texas, on the 21 day of September, 1995.

**APPROVED:**

*Jerry J. Hudnich*  
**MAYOR**

**ATTEST:**

*Jean Baker*  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

*Robert L. Dillman*  
**(RLD/ckh 8-10-95)**