

**ORDINANCE NO. 16-09-01-03**

**AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS; PROVIDING FOR THE AMENDMENT OF THE CITY OF LAGO VISTA PERSONNEL POLICY; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING EFFECTIVE DATE AND OPEN MEETINGS CLAUSES.**

**WHEREAS**, pursuant to Section 4.06 of the Charter of the City of Lago Vista, Texas (the “City”) required that the administration of human resources of the City be governed by written rules and regulations to be known as the “Personnel Policies” which shall be approved by the City Council by ordinance; and

**WHEREAS**, it is necessary and reasonable for the City from time to time to 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**, the City has undertaken a full review and rewrite of such existing personnel policies and having presented to the City Council such revised personnel policies, the City Council now desires to approve them;

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

**Section 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary.

**Section 2. Personnel Policy Approved.** The City of Lago Vista Personnel Policies and Procedures presented at the July 7, 2016 City Council Meeting and which are attached hereto as Exhibit “A,” incorporated herein for all purposes, are hereby approved as presented.

**Section 3. Personnel Policies and Procedures.** The City’s current Personnel Policies and Procedures are hereby repealed in their entirety and replaced with such Personnel Policies and Procedures approved in Section 2, above. The City may 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, or a designee at the direction of 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 4. 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 Lago Vista is an at-will employer and it is the policy of the City of Lago Vista that all officers and employees of the City 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 5. Interpretation and Construction.** The personnel policies and procedures, rules and regulations of the City, as approved by ordinance, 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 6. Conflicting Ordinances or Policies.** All ordinances, policies or parts of ordinances or policies in conflict with this Ordinance are hereby amended to the extent of such conflict.

**Section 7. Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with applicable laws.

**Section 8. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**Section 9. Open Meetings.** 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.

PASSED AND APPROVED on First Reading this 1<sup>st</sup> day of September, 2016.

ATTEST:

CITY OF LAGO VISTA, TEXAS

  
Sandra Barton, City Secretary

  
Ron Smith, Mayor Pro Tem

