

CITY OF ROLLINGWOOD, TEXAS

ORDINANCE NO. 2012-04-18 (B)

AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS, PROVIDING FOR RESTRICTIONS ON ACTIONS TO BE TAKEN ON BEHALF OF THE CITY BY AGENTS OF THE CITY, AND PROVIDING FOR SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to clarify the authority of agents of the City to act in furtherance of City Council actions and directives, and to confirm restrictions on discretionary action by City agents,

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

SECTION 1. The following restrictions shall apply to agents of the City, other than actions or approvals of a quorum of the City Council taken in an open meeting:

a. No document that purports to bind or obligate the City of Rollingwood may be executed by the Mayor, any other officer of the City, any agent of the City, or any City employee unless such execution has been duly authorized by the City Council;

b. When any City Council action contemplates creation or amendment of a document that purports to bind or obligate the City, no document or amended document may be signed or become effective until the document has been presented to and duly approved by the City Council, except as otherwise authorized in an action of the City Council expressly providing for limited discretion to be conferred on the agent authorized to execute a document.

c. No document (including minutes) approved by the City Council may be altered or changed in any way without prior presentation of an amendment or correction to the City Council and due approval thereof by the City Council.

d. When any action of the City Council requires or authorizes action by an officer, agent or employee of the City, the packet for each subsequent regular City Council meeting shall contain a progress report of the status of the required or authorized action until the action is complete or the matter is otherwise resolved in a manner duly approved by the City Council.

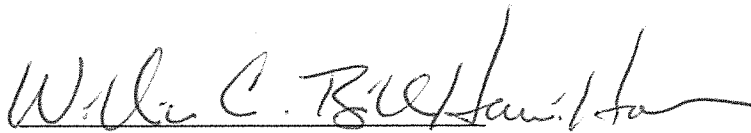
e. City policy is established by action of the City Council in the City Code of Ordinances and other ordinances and resolutions adopted by the City Council, subject to variances therefrom only on the terms and conditions provided by applicable law and by action of the authorized body (e.g. the Board of Adjustment may grant variances from zoning regulations). No agent of the City shall take, authorize, or approve any action in conflict with City policy as stated in the City Code of Ordinances and other ordinances and resolutions adopted by the City Council.

f. If an application or other request for approval is controlled by the City Code of Ordinances but presents an issue that is not clearly addressed in the applicable regulations, or if there are inconsistent applicable regulations, the matter shall be presented to the City Council for interpretation of the applicable regulations. If timely action on the application or request for approval does not allow for the issue to be first presented to the City Council, an agent authorized to act on the application or request for approval shall act in a manner that most closely follows the express provisions of the applicable regulations, and shall present the issue and the action taken to the City Council at its next regularly scheduled meeting for which there is adequate time to post the matter in compliance with the Texas Open Meetings Act.

SECTION 2. This Ordinance shall be effective immediately upon adoption. Section 1 of the this Ordinance may be codified in new Section 1.04.005 of the City of Rollingwood Code of Ordinances.

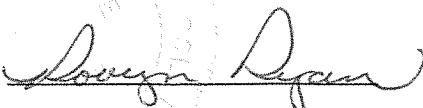
SECTION 3. If any provision of this Ordinance is found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of this Ordinance, and all other provisions hereof shall remain in full force and effect.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROLLINGWOOD, TEXAS,
on the 18th day of April, 2012.



William C. (Bill) Hamilton, Mayor

ATTEST:



Robyn Ryan, City Secretary