

ORDINANCE NO. 2024-O-200

**AN ORDINANCE OF THE CITY OF LAREDO, TEXAS,
AMENDING CHAPTER 2, ARTICLE II, DIVISION 1,
SECTION 2-29, "COMPENSATION OF MAYOR AND
COUNCIL MEMBERS" OF THE CODE OF ORDINANCES IN
ORDER TO UPDATE, PROVIDE CLARIFICATION, AND
ADD A PROVISION REGARDING THE
COMMENCEMENT OF TERMS; REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
THEREWITH; PROVIDING THAT THIS ORDINANCE
SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY
CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City of Laredo has established compensation for the Mayor and City Council members to ensure they are fairly remunerated for their service; and

WHEREAS, it is the intent of the City Council to ensure that the compensation provisions are clear, unambiguous, and free of any conflicting language; and

WHEREAS, the City Council has reviewed the current language of Chapter 2, Article II, Division 1, Section 2-29 of the Code of Ordinances and identified areas where clarification and amendments are necessary; and

WHEREAS, the City Council deems it in the best interest of the City of Laredo to amend the aforementioned section to enhance understanding and eliminate any uncertainty;

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

Section 1. The City of Laredo Code of Ordinances, Chapter 2, Article 2, Division 1, Section 2-29 entitled "Compensation of Mayor and City Council Members" is hereby amended as follows:

- (1) This section applies to the mayor and council members, who hereinafter are referred to as the members of the governing body.
- (2) Pursuant to Ordinance No. 2016-0-137, the annual salary for the mayor shall be seventy-five thousand dollars (\$75,000.00) per year, ~~including allowances~~, as approved by city council on April 4, 2016.
- (3) Pursuant to Ordinance No. 2016-O-137, the annual salary for the council members shall be fifty thousand dollars (\$50,000.00) per year, ~~including allowances~~, as approved by city council on April 4, 2016.

- (4) The members of the governing body shall be entitled to benefits on the same basis as all other city employees, ***[including but not limited to cost-of-living adjustments, subject to budget approval.]***
- (5) The members of the governing body shall be reimbursed for actual and necessary expenses which are submitted with expense verification in accordance with this section and/or prior policy and existing ordinances and city policy, including, but not limited to:
- (a) Travel out-of-town in the course of city business.
 - (b) Lodging out-of-town in the course of city business.
 - (c) Meals out-of-town in the course of city business.
 - (d) Cost of stationery in the course of city business.
 - (e) Cost of postage in the course of city business.
 - (f) ~~The actual value of annual leave taken from other employment in order to attend to city official business, at the applicable hourly rate-~~ ***[is based on the annual salary in subsections (2) and (3) for attendance at required out-of-town city business.]***
- (6) Except as provided by subsection (7), the members of the governing body shall be reimbursed under a non-accountable plan pursuant to 26 CFR § 1.62-2(c)(3) for the following expenses as well:
- (a) Transportation/vehicle cost of one thousand two hundred dollars (\$1,200.00) per month for the mayor and seven hundred and fifty dollars (\$750.00) per month for each councilmember, which the city council finds to be the actual minimum necessary amount for the performance of the duties of public office.
 - (b) Home office costs of seven hundred and fifty dollars (\$750.00) per month which the city council finds to be the actual minimum cost for the performance of the duties of public office.
 - (c) Cell phone cost of one hundred and fifty dollars (\$150.00) per month, which the city council finds to be the actual minimum cost for the performance of the duties of public office.
- (7) The members of the governing body may elect to be reimbursed under an accountable plan in accordance with 26 CFR § 1.62-2(c)(2)(i) for the actual and necessary expenses associated with transportation/vehicle, home office, and cell phone on a form to be provided by the director of financial services with the corresponding expense substantiation. If a member of the governing body makes an election pursuant to this subsection, the member shall be reimbursed in the following manner:

- (a) Transportation/vehicle cost not to exceed *[one thousand, two hundred dollars (\$1,200.00) per month for the mayor and]* seven hundred and fifty dollars (\$750.00) per month *[for a council member]*, provided that each ~~member~~ *[person]* must certify the actual ownership or lease of a vehicle and its use and the resulting expense on a monthly basis.
- (b) Home office costs determined on the basis of actual square footage, percentage of use, allowance for parking, utilities, taxes and insurance; but not to exceed seven hundred and fifty dollars (\$750.00) per month. The reasonable rental value is assumed to be eight (8) percent annually of the appraised value as established by the Webb County Appraisal District, or an independent M.I.A. appraisal. The city council finds that the use of office space at home for such purposes is accepted, normal, reasonable and necessary and provides for this method to cover the actual costs of such use. Each member must certify the actual ownership or lease of residence and its use and the resulting expense annually on a form for determination of the amount, and must certify the continuing use and applicability of the expense on the monthly submission for expense.
- (c) Actual cell phone costs for city business calls not to exceed one hundred and fifty dollars (\$150.00) per month if submitted from the actual cell phone billing records, provided that each member must certify actual use of a cell phone and applicability of the expense during each monthly period.
- (8) Any item not coming within the above enumerations, or those in prior policy and existing ordinances, are not deemed to be actual and necessary and are not reimbursable.
- (9) The director of financial services shall set up a reporting and record system whereby each member of the governing body provides documentation to the extent required by subsections (5) and (7), or by other policy, code provision, or ordinance, supporting any and all reimbursement of actual and necessary expenses, and the members of the governing body shall comply fully with the requirements of such system. Failure to timely comply shall result in suspension of payment, and the director shall notify the city manager and the mayor of any such suspension of payment.
- (10) No final payment may be paid for expenses ~~under an accountable plan~~ until the supporting paperwork is provided as required by subsections (5) and (7), except for necessary travel advances in accordance with city ordinances and policies.

[(11) The term for a City Council Member shall begin no earlier than January 1 after canvassing of the general election.]

Section 2. Chapter 2 of the City Code of Laredo Texas, as Amended, will remain in full force and effect, save and except as amended by this Ordinance.

Section 3. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with

the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 4. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. This Ordinance shall become effective after its passage.

DULY PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON

THIS THE ____ DAY OF _____, 2024.

**DR. VICTOR D. TREVINO
MAYOR**

ATTESTED:

**MARIO MALDONADO, JR
CITY SECRETARY**

APPROVED AS TO FORM:

**DOANH “ZONE” T. NGUYEN
CITY ATTORNEY**

