

ORDINANCE NO. 2025-O-14

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING CHAPTER 2, ARTICLE II, DIVISION 2, SECTION 2-16(b)(1) and (c) OF THE CODE OF ORDINANCES TO ADDRESS THE RESTRICTIONS OF MANAGEMENT EXCLUSIVITY AS IT LIMITS THE CITY'S ABILITY TO EXERCISE DISCRETION IN EXTRAORDINARY CIRCUMSTANCES; ALSO, TO DESIGNATE THE CITY MANAGER, DEPUTY CITY MANAGER OR THE CITY MANAGER'S DESIGNEE AS THE DIRECTOR OF THE CITY MANAGER'S OFFICE TO BROADEN DECISION MAKING CAPACITY AND ALLOW FOR CONTINUITY IN LEADERSHIP; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Charter grants the city manager and department directors certain powers and responsibilities with respect to their managing authority;

WHEREAS, removing the term "exclusive" from this provision would allow for limited, discretionary exceptions under extraordinary circumstances to safeguard the public interest, the interests of the City, and continuity of city services;

WHEREAS, including the city manager and their designee to the management role of the city manager's office ensures that critical management functions are not hindered by the unavailability of the deputy city manager and will allow for consistent oversight and smooth operations during transitions, leaves of absence, or when the deputy city manager is otherwise unavailable; and

WHEREAS, adding the city manager's designee provides flexibility to assign specific responsibilities to personnel with the appropriate expertise, ensuring efficient and effective decision-making.

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 II, Division 2, Section 2-16(b)(1) and (c) are hereby amended to read as follows:

(b) City manager's authority subject to division 5 of this article.

- (1) Pursuant to authority granted by the City Charter, sections 3.05 and 4.01, the city manager has exclusive authority to appoint, suspend or remove all city department directors, except as otherwise provided by law, the City Charter or policy adopted in

accordance with the Charter. The city manager also has direction and approval authority over department directors' supervision and control of their departments. ~~[except as to the department directors' authority to appoint, suspend or remove their respective departments' employees.]~~

- (c) Department directors' authority subject to division 5 of this article.
- (1) Department directors, pursuant to City Charter sections 3.05(1) and 4.01(B) have ~~[exclusive]~~ *the* power to appoint, remove or suspend all employees in their respective departments and may not delegate this authority to anyone, except in the event that the department director is physically or mentally incapacitated and under a physician's care and such physician determines that the individual cannot continue in his position for a certain period of time.
 - (2) In such event, the city manager shall appoint an "acting department director" for such time as the department director is able to resume the duties and responsibilities of his position. The appointment of an "acting department director" by the city manager shall be in writing and shall state that the named individual assumes all duties and responsibilities for management of the department, including but not limited to the appointment, removal or suspension of all employees in the department.
 - (3) The department director for the department of the city manager's office, shall be the *city manager*, deputy city manager, *or the city manager's designee*, who shall be responsible for the overall management of that department including appointing, removing and suspending all employees of the department.

Section 2. 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 3. 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 4. The publishers of the City Code of Laredo, Texas are authorized to amend said code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

Section 5. This Ordinance shall take effect immediately upon passage.

**DULY PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
THE _____ DAY OF _____, 2024.**

**DR. VICTOR D. TREVIÑO
MAYOR**

ATTESTED:

**MARIO MALDONADO
CITY SECRETARY**

APPROVED AS TO FORM:

**DOANH "ZONE" T. NGUYEN
CITY ATTORNEY**