

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS, AMENDING THE POLICY ON POLITICAL ACTIVITY IN THE CITY OF UVALDE EMPLOYEE HANDBOOK SECTION THREE, PAGE 35; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, it is necessary and reasonable for the City of Uvalde, Texas (the “City”) to provide, 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;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UVALDE, 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 Resolution are reasonable and necessary.

Section 2. Personnel Policy Amended. Section 3, Work Rules and Employee Responsibilities, Political Activities, Page 35 of the City of Uvalde Employee Handbook is hereby amended in its entirety to read as follows:

POLITICAL ACTIVITY

City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. No City employee is prohibited from becoming a candidate for public office. However, City employees may not:

- Publicly endorse or campaign in any manner for any person seeking a City public office, while on active duty or in uniform.
- Use the employee’s position or office to coerce political support from employees or citizens.
- Use the employee’s official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.
- Make, solicit or receive any contribution to the campaign funds of any candidate, except as specifically permitted by law, for the City Council or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe upon the rights of an employee to seek office himself/herself, express his or her opinions and to cast his or her vote.
- Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to

circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.

- Contribute money, labor, time or other valuable thing to any person for City election purposes, except as permitted by law.

Section 3. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable and, if any phrase, sentence, paragraph or section of this Resolution 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 Resolution, since the same would have been enacted by the City Council without the incorporation of this Resolution of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Resolution shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision, and to this end the provisions of this Resolution are declared to be severable.

Section 4. Employment Contracts. Neither this revision, modification and amendment nor the Uvalde Employee Handbook shall 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 Uvalde is an at-will employer and it is the policy of the City 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. Effective Date. The Personnel Policies hereby approved shall take effect immediately from and after the passage and adoption of this resolution.


Section 6. Open Meetings. That 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, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on this the 14 day of January 2014.

Attest:



Susan Conley, City Secretary

City of Uvalde, Texas


J. Allen Carnes, Mayor