ORDINANCE NO. XXX

Draft presented to Council 10-___-2026

AN ORDINANCE OF THE CITY OF THE TOWN OF ENCHANTED OAKS TEXAS, ESTABLISHING THE ALLOCATION THE POWERS, ADMINISTRATIVE DUTIES, AND EXECUTIVE RESPONSIBILITIES OF THE MAYOR; ESTABLISHING THE ADMINISTRATIVE RELATIONSHIP WITH MUNICIPAL STAFF; PROVIDING FOR BUDGET AND FINANCIAL LEADERSHIP; PROVIDING THAT ALL POWERS OF THE TOWN COUNCIL REMAIN WITH THE COUNCIL; PROVIDING THE MAYOR SHALL HAVE ONE VOTE WHETHER OR NOT A TIE EXISTS; PROVIDING FOR OCCASIONAL REVIEW OF THE TERMS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Enchanted Oaks, Texas, is a Type B general-law municipality operating under Chapter 23 of the Texas Local Government Code; and

WHEREAS, the Town is governed by a board of aldermen known and referred to as its Town Council, one of whom is elected as the mayor, and the Town Council operates by majority vote of its members;

WHEREAS, Section 22.042 and Section 22.071 of the Texas Local Government Code, as made applicable to Type B municipalities via Section 51.035, authorize the Board of Aldermen to prescribe the powers and duties of municipal officers; and

WHEREAS, the Town of Enchanted Oaks employs a City Secretary / Administrator; and

WHEREAS, the Board of Aldermen finds it necessary for the efficient, day-to-day governance of the City to explicitly designate the Mayor as the Chief Executive Officer responsible for routine municipal operations of the town in cooperation and coordination with Secretary/Administrative staff as needed;

WHEREAS, the Board of Aldermen desires to explicitly define the Mayor's statutory duties as Budget Officer, including budget preparation, routine spending approvals, and ledger oversight; and

WHEREAS, the Board further finds it necessary to formally designate the Mayor as "designated officer" regarding the responsibilities for annual Truth-in-Taxation calculations under the Texas Tax Code and ensure compliance with state-mandated annual financial audits;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENCHANTED OAKS, TEXAS:

SECTION 1:

GENERAL PRINCIPLES OF TOWN GOVERNANCE

The Board of Aldermen as a body retains all powers of governance over the Town and Town matters, and it operates as a body by majority vote. The Mayor has no unilateral authority over the officers or employees of the Town or over Town affairs unless the Board of Aldermen votes by resolution or ordinance to delegate a power to the Mayor, or when explicitly authorized by State law. The mayor is a voting member of the Town Council and may vote regardless of whether a tie exists. It is expressly recognized that the Town is a Type B general-law municipality and therefore depends upon an express delegation of power from the State for its authority.

SECTION 2

THE MAYOR AND EXECUTIVE ADMINISTRATION

A. Chief Executive Designation: Subject to the foregoing, the Mayor is hereby designated the chief executive officer of the Town and shall actively ensure that all State laws, Town ordinances, Town resolutions and Town Policies policies are properly executed and enforced. In the absence or disability of the Mayor, the Mayor pro tem shall assume these powers and obligations of the Mayor, subject to such modifications and delegations as may be provided by the Board of Aldermen.

B. Operations and Reporting: To ensure efficient operations and eliminate the need to consult the full Board of Aldermen on daily matters, the Town Secretary/Administrator shall report directly to the Mayor for administrative guidance, questions, and daily coordination. The Mayor shall provide oversight to ensure policies, goals, directives, and administrative duties are fulfilled, carrying out the will of the Board of Aldermen acting always in the best interest of the Town.

    1. The Town Secretary/Administrator shall be responsible for the day-to-day administration and management of Town activities, operations, and employees, subject to the specific reporting structure of the Chief of Police outlined herein.
    2. In the absence of the Town Secretary/Administrator, the Mayor may direct or advise employees in the performance of their duties, provided that such direction or advice is consistent with prior directives of the Town Secretary/Administrator and the ordinances and policies of the Board of Aldermen. Town employees shall work with the Mayor in a professional, cooperative manner recognizing that the Mayor speaks for the Board of Aldermen as to the performance of the duties of such employees.
    3. In accordance with the Chief of Police’s employment agreement, the Chief of Police shall report directly to the Mayor. The Mayor retains ultimate authority to set the on-duty hours and priorities of the Chief of Police. Nothing in this section shall infringe upon the statutory duties, powers, authority, and responsibilities provided by law to the Chief of Police as a commissioned peace officer and department head.

C. Resolution of Administrative Disputes: The Mayor, Mayor Pro-Tem, and individual members of the Board of Aldermen possess no individual administrative authority over Town employees, and shall not possess unilateral authority to terminate, suspend, or fundamentally alter the employment status of Town personnel. Any jurisdictional disputes, unauthorized administrative interference, or grievances arising under this section shall be processed and resolved strictly according to the dispute resolution, reporting pathways, and anti-retaliation protections established in the Town Personnel Policy.

D. The Mayor is given authority to seek the enforcement of the building and property maintenance codes of the Town through lawful and appropriate means, including the initiation of violation notices and acting as the complainant thereon if otherwise allowed by State law.

SECTION 3

BUDGETARY, TAXATION, AND FINANCIAL AFFAIRS

A. Budget Officer Duties: Pursuant to Texas law, the Mayor shall serve as the primary budget officer for the Town and shall have the power, duty, and authority to:

   a. Prepare and timely submit the proposed annual municipal budget to the Board of Aldermen and cause the proposed budget to be appropriately posted, published, and displayed in accordance with the requirements of State law;
   b. Review and approve standard, routine operational expenditures within the limits of the approved budget; and
   c. all financial books, bank reconciliations, and account ledgers maintained by the part-time Secretary/Administrator to ensure fiscal accuracy.

B. B) Truth-in-Taxation Responsibilities: The Mayor, with the assistance of the Town Secretary/Administrator, shall serve as the “designated officer” for purposes of calculating the no-new-revenue tax rate and the voter-approval tax rate required by Chapter 26 of the Texas Tax Code. The Mayor shall be otherwise responsible for the completion of all truth-in-taxation calculations and forms for submission to the Board of Aldermen, the public, and the Texas Comptroller as part of the tax rate setting and budget preparation functions of the Town.

C. C) Annual Financial Audit: The Mayor, in accordance with the budget for such purpose as approved by the Board of Aldermen, shall cause an annual financial audit of the Town to be timely performed, completed, and reported to the State as required by law.

SECTION 4

The Town Council may amend or repeal this Ordinance in its discretion, provided that the Town council shall review the terms of this Ordinance not less than annually.

SECTION 5

The terms and provisions of this Ordinance are severable.

SECTION 6

The terms and provisions of this Ordinance shall become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the _____day of October, 2026.

TOWN OF ENCHANTED OAKS, TEXAS

Mayor

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ATTTEST:
City Secretary/Administrator

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