

## ORDINANCE NO. 3642

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING CHAPTER 2, ARTICLE II, DIVISION 2, SECTION 2-65, RULES OF PROCEDURE, OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR THE SELECTION OF A DEPUTY MAYOR PRO TEM IN THE ABSENSE OF THE MAYOR AND MAYOR PRO TEM; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of North Richland Hills, Texas ("the City") is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS,** the City Council finds that the City Council Rules of Procedure should be amended to create a Deputy Mayor Pro Tem position to act in the absence of the Mayor and Mayor Pro Tem; and

**WHEREAS,** the Deputy Mayor Tem position would allow for increased resiliency and responsiveness of the City Council of North Richland Hills in times of disaster or other need; and

**WHEREAS,** the City Council finds that the establishment of a Deputy Mayor Pro Tem position is in the best interest of the residents of North Richland Hills.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:**

**SECTION 1:** The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

**SECTION 2:** That Chapter 2, Article II, Division 2, of the City of Ordinances, Rules of Procedure, Section 2-65 (a) and (b) be amended to read as follows:

Sec. 2-65. – Chair and duties.

(a) *Chair.* The mayor, if present, shall preside as chair at all meetings of the council. In the absence or disability of the mayor, the mayor pro tem shall preside. There shall also be a deputy mayor pro tem, who shall preside in the absence or disability of both the mayor and the mayor pro tem. The deputy mayor pro tem shall be selected from among the members of the council at the first regular meeting following the general City election, upon declaration of members elected, or

upon action of the City Council in the event of a vacancy in the position. For meetings or events in which there exists the absence or disability of the mayor, the mayor pro tem, and the deputy mayor pro tem, the city council shall elect a chair to preside until the end of the meeting or for the duration of the event.

- (b) *Call to order.* The meetings of the city council shall be called to order by the mayor, or in his absence or disability, by the mayor pro tem. In the absence or disability of both the mayor and mayor pro tem, the meeting shall be called to order by the deputy mayor pro tem. In the absence or disability of the mayor, the mayor pro tem, and the deputy mayor pro tem, the meeting shall be called to order by the city secretary.

**SECTION 4:** That all other provisions of Chapter 2, Article II, Division 2, Section 2-65 of the City of Ordinances, Rules of Procedure, not amended herein shall remain in full force and effect.

**SECTION 5:** This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 6:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7:** 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 8:** This Ordinance shall be in full force and effect from and after its passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this \_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF NORTH RICHLAND HILLS**

By: \_\_\_\_\_  
Oscar Trevino, Mayor

**ATTEST:**

\_\_\_\_\_  
Alicia Richardson, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Maleshia B. McGinnis, City Attorney

**RECOMMENDED:**

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Mark Hindman, City Manager