

**ORDINANCE NO. 2016-30**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING AN AMENDMENT TO THE PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF COPPERAS COVE BY REPLACING THE EXISTING PERSONNEL POLICY, NO. 005, (ENTITLED "MANAGEMENT AUTHORITY") IN ITS ENTIRETY AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** The City Council of the City of Copperas Cove has adopted Personnel Policies and Procedures to assist in the management and supervision of City Employees; and

**WHEREAS,** The Personnel Policies and Procedures were codified as the Personnel Policies and Procedures Manual on September 1, 2006; and

**WHEREAS,** The City of Copperas Cove Council deems it appropriate to amend personnel policy, No. 005, (Management Authority) to delegate non-substantive personnel policy revisions to the City Manager; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:**

**Section 1.**

**THAT,** personnel policy, No. 005, (Management Authority) of the Personnel Policies and Procedures Manual of September 1, 2006, is hereby amended by replacing the existing language therein with the language set out in **Exhibit "A"**, which is attached hereto and incorporated herein for all purposes.

**Section 2.**

**THAT,** those sections of the Personnel Policies and Procedures Manual of September 1, 2006, not amended herein are hereby ratified, and shall remain in full force and effect.

**Section 3.**

**THAT,** all ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section 4.**

THAT, should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid;

**Section 5.**

THAT, this ordinance shall be effective April 19, 2016.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE. TEXAS**, this XXth day of April 2016, such meeting held in compliance with the Open Meeting Act (Texas Government Code, Chapter 551.001 et.seq.), at which a quorum was present and voting.

  
Frank Seffrood, Mayor

ATTEST:

  
Mariela Altott, City Secretary

APPROVED AS TO FORM:

  
Denton, Navarro, Rocha  
Bernal, Hyde & Zech P.C., City Attorney



## MANAGEMENT AUTHORITY AND PURPOSE POLICY 005

April 2016

The City of Copperas Cove, pursuant to the City Charter, provides that the general and final authority for Human Resources administration rests with the City Manager with the exception of matters reserved to City Council by State law or the City Charter.

These policies set forth guidelines for City of Copperas Cove employees. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors that will result in high quality public service to the citizens of the City of Copperas Cove. All employees of the City of Copperas Cove are employed on an at-will basis, unless the employee has an express written employment contract approved by the City Council. At-will means that employees have been hired for an indefinite period of time and, just as they may voluntarily terminate their employment with the City of Copperas Cove at any time, for any reason, the City of Copperas Cove may terminate their employment at any time, for any reason.

This manual is not a contract, express or implied, guaranteeing employment for any specific duration. Either the employee or City of Copperas Cove may terminate the employment relationship at any time for any reason, with or without cause or notice. No supervisor, director, or representative of the City of Copperas Cove other than the City Council has the authority to enter into a contract with an employee for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment contract entered into and approved by the City Council shall not be enforceable unless it is in writing. This personnel policy shall not be construed as altering the at-will employment relationship or as creating a contract between the City of Copperas Cove and its employees.

All appeal procedures are for the purpose of fact-finding and to assist in the just administration of the personnel policies of the City of Copperas Cove. The appeal procedures contained in this personnel manual shall not be construed to grant to employees of the City of Copperas Cove any form of property interest in their continued employment.

The City of Copperas Cove may modify, revoke, suspend, interpret, terminate, or change any or all policies and procedures, in whole or in part, at any time. The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment.

The City Manager shall be responsible for the preparation of operational and personnel policies. Personnel policies which affect the budget and employee discipline and/or adverse actions shall be approved by City Council. The City Council may accept and adopt such policies as proposed or may adopt them with amendments as the City Council deems necessary or may reject them in their entirety and direct the City Manager to further consider the policies and present new proposals at a subsequent meeting. Operational and administrative policies shall be approved by the City Manager and shall be provided to City Council for their information.

In addition to these personnel policies, Department Directors may establish departmental rules and regulations that relate specifically to personnel issues in their departments, as long as they do not conflict with these policies. If there is a conflict between a departmental rule or policy and these policies or any future amendments to these policies, the terms of these policies shall prevail. Any conflicts, questions or ambiguities in these policies will be decided by the City Manager. Additionally, departmental rules and regulations must be approved by the City Manager, reviewed by the Human Resources Director and the City Attorney for legal compliance.

The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect. Changes in state or federal law or regulations will supersede these policies and/or departmental policies from the effective date of the law or regulation forward.

The City Manager may delegate rights and powers granted under these policies and procedures to others as deemed appropriate in the City Manager's sole discretion.

**MANAGEMENT AUTHORITY AND PURPOSE**  
**Policy #005**

September 2006

The City of Copperas Cove, pursuant to the City Charter, provides that the general and final authority for Human Resources administration rests with the City Manager with the exception of matters reserved to City Council by State law or the City Charter.

These policies set forth guidelines for City of Copperas Cove employees. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors that will result in high quality public service to the citizens of the City of Copperas Cove. All employees of the City of Copperas Cove are employed on an at-will basis, unless the employee has an express written employment contract approved by the City Council. At-will means that employees have been hired for an indefinite period of time and, just as they may voluntarily terminate their employment with the City of Copperas Cove at any time, for any reason, the City of Copperas Cove may terminate their employment at any time, for any reason.

This manual is not a contract, express or implied, guaranteeing employment for any specific duration. Either the employee or City of Copperas Cove may terminate the employment relationship at any time for any reason, with or without cause or notice. No supervisor, director, or representative of the City of Copperas Cove other than the City Council has the authority to enter into a contract with an employee for any specified period or to make any promises or commitments contrary to the foregoing. Further, any employment contract entered into and approved by the City Council shall not be enforceable unless it is in writing. This personnel policy shall not be construed as altering the at-will employment relationship or as creating a contract between the City of Copperas Cove and its employees.

All appeal procedures are for the purpose of fact-finding and to assist in the just administration of the personnel policies of the City of Copperas Cove. The appeal procedures contained in this personnel manual shall not be construed to grant to employees of the City of Copperas Cove any form of property interest in their continued employment.

The City of Copperas Cove may modify, revoke, suspend, interpret, terminate, or change any or all policies and procedures, in whole or in part, at any time. The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment.

Policy administration rests with City management and thus City management has sole authority to administer City operations. This personnel policy is approved by ordinance of the City Council and any deletions, amendments, revisions, or additions to the policies must be approved by ordinance of the City Council. This policy completely replaces and supersedes any and all personnel policies previously adopted, individually or as a set of policies, by the City Council.

In addition to these personnel policies, Department Directors may establish departmental rules and regulations that relate specifically to personnel issues in their departments, as

## **MANAGEMENT AUTHORITY AND PURPOSE**

### **Policy #005**

September 2006

long as they do not conflict with these policies. If there is a conflict between a departmental rule or policy and these policies or any future amendments to these policies, the terms of these policies shall prevail. Any conflicts, questions or ambiguities in these policies will be decided by the City Manager. Additionally, departmental rules and regulations must be approved by the City Manager, reviewed by the Human Resources Director and the City Attorney for legal compliance. These personnel policies may be amended or revised, or new policies may be added, at any time, with or without notice, upon the approval of the City Council.

The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect. Changes in state or federal law or regulations will supersede these policies and/or departmental policies from the effective date of the law or regulation forward.

The City Manager may delegate rights and powers granted under these policies and procedures to others as deemed appropriate in the City Manager's sole discretion.