

CITY OF STARBASE, TEXAS
ORDINANCE NO. 2026-21

**AN ORDINANCE OF THE CITY OF STARBASE, TEXAS, REPEALING AND REPLACING
ORDINANCE NO. 2025-05-29-J02-OR; PROVIDING FOR THE OFFICE, TERM,
COMPENSATION, AND DUTIES OF THE CITY ADMINISTRATOR, INCLUDING THE
EXERCISE OF DELEGATED POWERS SUBJECT TO STATED CONDITIONS; PROVIDING
FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT
AND ENROLLMENT OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION AND AN
EFFECTIVE DATE.**

WHEREAS, the City of Starbase, Texas (“City”) is a Type C general-law municipality located in Cameron County, Texas, created in accordance with Chapter 8 of the Texas Local Government Code and operating under the commission form of government; and

WHEREAS, under Section 24.051, Texas Local Government Code, the governing body of the City may appoint a municipal attorney and other officers that the governing body considers necessary, and may define the duties of those officers; and

WHEREAS, the City Commission created the office of city administrator by Ordinance No. 2025-05-29-J02-OR, passed and approved on May 29, 2025; and

WHEREAS, the City Commission finds and determines that the office of City Administrator remains necessary to the good government and efficient administration of the City; and

WHEREAS, by Ordinance No. 2025-11-19-F02-OR, passed and approved on November 19, 2025, the City adopted the powers and authority of a Type A general-law municipality, without limitation, under Section 51.052, Texas Local Government Code; and

WHEREAS, Section 22.072, Texas Local Government Code, authorizes the governing body to prescribe the powers and duties of a municipal officer whose duties are not otherwise set by statute; and

WHEREAS, the City Commission adopted the City of Starbase Purchasing Policies by Resolution No. 2026-8, effective March 18, 2026, which govern the procurement of goods and services by the City and the thresholds at which City Commission approval is required; and

WHEREAS, the City Commission deems it necessary and in the public interest, in order to provide for the good and efficient administration of the City, to further define the powers and duties of the City Administrator; and

WHEREAS, the City Commission finds that repealing and replacing Ordinance No. 2025-05-29-J02-OR in its entirety, as provided in this Ordinance, is in the best interest of the public health, safety, and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

SECTION 1. Recitals. The City Commission finds all of the above recitals to be true and correct and incorporates the same in this Ordinance as findings of fact.

SECTION 2. Repeal and Replacement. Ordinance No. 2025-05-29-J02-OR is hereby repealed in its entirety and replaced by this Ordinance.

SECTION 3. Office. Subject to the terms hereof, there is hereby continued the office of City Administrator, and the person filling such office shall be responsible for the day-to-day, non-legislative functions of the City as may be specifically directed by the Mayor and approved by the City Commission of the City.

SECTION 4. Term. The term of employment of any person employed to fill such office shall be at the will of the City Commission of the City.

SECTION 5. Compensation. The compensation for such employee shall be as determined by the City Commission and such compensation shall be reviewed annually by the City Commission.

SECTION 6. Continued Service of Current City Administrator. The person serving as City Administrator on the effective date of this Ordinance shall continue to serve in that office upon the same terms of employment and without the need for reappointment or new hiring, and nothing in this Ordinance requires the appointment or hiring of a new City Administrator.

SECTION 7. City Administrator Duties. The City Administrator, subject to limitations defined in resolutions and ordinances of the City and state statutes, shall be the chief administrative officer of the City, responsible directly to the Mayor and City Commission for the proper administration and management of the business affairs of the City including individual City departments, pursuant to the statutes of the State and the ordinances of the City, and the resolutions, board motions and directives of the City Commission, with powers and duties as follows:

A. General Duties

1. Exercise discretionary power to manage the City and all departments in order to carry out directives of the Mayor and City Commission which require administrative implementation, reporting promptly to the Mayor any difficulties encountered;
2. Exercise discretionary power to manage and be responsible for the administration of all day-to-day operations of the City government including the monitoring of all city ordinances, resolutions, Commission meetings and state statutes;

3. Prepare a plan of administration, including an organization chart, which defines authority and responsibility for all non-statutory positions of the City; and submit it to the City Commission for adoption as the official organization and administrative procedure for the City;
4. Establish, when necessary, administrative procedures to increase the effectiveness and efficiency of the city government according to current practices in local government, not inconsistent with paragraph 2 above or directives of the Mayor and City Commission;
5. Attend, or appoint a representative to attend, as a non-voting staff member, all meetings of boards, commissions and committees of the City;
6. Keep informed, under the guidance of the City Attorney, concerning current federal, state and county legislation and administrative rules affecting the City and submit appropriate reports and recommendations on those matters to the City Commission;
7. Represent the Mayor and City Commission in matters involving the city.
8. Facilitate communications between citizens and city government to ensure that complaints, grievances, recommendations, and other matters receive prompt attention by a city official, and to ensure that all such matters are resolved;
9. Communicate and correspond on behalf of the City with the public, the news media, other governmental entities, and state and federal agencies, and serve as the City's spokesperson on administrative and operational matters, consistent with the policies and directives of the Mayor and City Commission.
10. Promote the economic well-being and growth of the City through public and private sector cooperation.

B. Responsibilities to City Commission

1. Attend all meetings of the City Commission required in the performance of their duties, unless excused by the Mayor;
2. In coordination with the Mayor, the City Commission and the City Clerk, ensure that agendas are prepared for all meetings of the City Commission, together with such supporting material as may be required; with nothing in this subsection being construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the City Commissioners;
3. Assist the City Attorney in the preparation of ordinances and resolutions as requested by the Mayor or the City Commission, or as needed;

4. Keep the Mayor and City Commission regularly informed about the activities of the Administrator's office by oral or written reports at regular and special meetings of the City Commission;
5. Receive directives from the Mayor in the event that action normally requiring City Commission approval is necessary in emergency situations at a time when the City Commission cannot meet.

C. Personnel

1. Be responsible for the administrative direction and coordination of all employees of the City;
2. Manage and direct the work of City employees;
3. Appoint, promote, discipline, suspend, and remove any employee of the City whose appointment is not required by law to be made by the City Commission. Any such action is effective immediately and remains in effect unless the City Commission, by majority vote, overturns the action within sixty (60) calendar days after it is taken;
4. For any position for which appointment is required by law to be made by the City Commission, the City Administrator may (i) make a temporary or acting appointment effective immediately, subject to confirmation by the City Commission within sixty (60) calendar days; and (ii) suspend or remove the officer effective immediately, subject to affirmative ratification by the City Commission within sixty (60) calendar days. If the City Commission does not ratify a removal within that period, the officer shall be reinstated with back pay for the interim period. Reinstatement with back pay under this paragraph applies only to the interim period and does not create a property interest in, or a just-cause standard for, continued employment;

D. Budgeting, Taxing, and Financial Authority

1. Be responsible for preparation, posting and publishing including all official notices required, of the annual City budget and City budget proceedings in accordance with guidelines as may be provided by the City Commission and pursuant to State statutes, for review and approval by the Mayor and City Commission;
2. Administer the budget as adopted by the City Commission;
3. Report regularly to the City Commission on the current fiscal position of the City;
4. Supervise the accounting system of the City and ensure that the system employs methods in accordance with current professional accounting procedures established by the City Commission and any limitations contained in the State statutes.

5. Calculate the no-new-revenue tax rate and the voter-approval tax rate for the City as required by Section 26.04(c), Tax Code; the City Administrator is designated as the officer of the City responsible for that calculation under that Section and shall perform the related certification, submission, and posting duties required by Section 26.04;

E. Contracts and Agreements

1. Negotiate, execute, modify, and terminate memoranda of understanding, letters of intent, and similar instruments that impose no financial obligation on the City;
2. Negotiate, execute, modify, and terminate contracts and agreements for which neither the City's Purchasing Policies nor state law requires City Commission approval, including agreements under which the City's only obligation is to provide services or perform duties within the authority of the City and its staff;
3. Accept and provide for receipt of funds owed to the City, and promptly deliver them to the City's financial officer or depository for deposit and custody, consistent with the City's financial management and investment policies;
4. Apply for any grant, gift, or award on behalf of the City, and accept any grant, gift, or award for which the grant and any required matching funds are already identified in the adopted budget, except where acceptance requires City Commission action under the terms of the grant or applicable law;
5. With the concurrence of the City Attorney, settle or compromise a claim against or by the City involving payment of \$50,000 or less, provided the settlement is payable from appropriated funds or insurance and does not require amendment of an ordinance, resolution, or the budget;
6. Make and document in writing a determination that a procurement is exempt from competitive bidding as a sole-source procurement under Section 252.022, Local Government Code; for any such procurement at or above \$50,000, the determination requires the concurrence of the City Attorney. A determination under this paragraph exempts the procurement from competitive bidding only and does not authorize award of a contract that otherwise requires City Commission approval, and each such determination shall be included in the quarterly report required under this Subsection;

The exercise of authority under paragraphs (1) through (6) of this Subsection is subject to the following conditions:

- (a) any contract or agreement involving payment by or to the City of more than \$50,000 shall be reviewed and approved as to form by the City Attorney before execution;

- (b) each action shall be consistent with the adopted budget and applicable City policies and shall not conflict with any ordinance, resolution, or directive of the City Commission;
- (c) if a proposed action would require the City Administrator to file an affidavit under Chapter 171, Local Government Code, the City Administrator shall not act under this Subsection with respect to that matter and shall instead file the required affidavit and refer the matter to the City Commission for action, and each member of the City Commission required to file an affidavit under Chapter 171 shall do so before the City Commission acts on the matter;
- (d) the City Administrator shall keep a written record of the contracts, agreements, funds, grants, settlements, and sole-source determinations made under this Subsection; and
- (e) the City Administrator shall report to the City Commission at least quarterly regarding the actions taken under this Subsection, and shall promptly notify the Mayor of any matter that, in the City Administrator's judgment, involves significant public interest or policy sensitivity.

F. Administration, Rules, and Delegation

- 1. In furtherance of paragraph 4 of Subsection A, adopt administrative rules, procedures, and directives that are binding on the City's departments, officers, and employees;
- 2. Adopt reasonable rules to implement and administer any ordinance or resolution of the City that does not expressly provide otherwise, provided such rules are consistent with the ordinance or resolution and do not violate other law; a rule adopted under this paragraph is enforceable against the public only to the extent the underlying ordinance so provides, and only after the rule is made available to the public, including by posting on the City's website;
- 3. Serve as, and designate in writing the individuals who serve as, the City's Investment Officer under Chapter 2256, Government Code, the City's Records Management Officer under Chapter 203, Local Government Code, the City's public information coordinator, and any deputy officers; each designation shall be documented in writing, made available to the public, including by posting on the City's website, and filed with any state agency as required by law;
- 4. Appoint a person to serve in an acting capacity in any non-elected office or position of the City that is temporarily vacant, if no other ordinance or law of the City provides who is to serve in that acting capacity during the temporary vacancy;
- 5. Delegate in writing any authority under this Section to an appropriate City employee, provided the delegated authority remains subject to the same limitations that apply to the City Administrator, who remains accountable for the authority so delegated;

6. Designate in writing an Acting City Administrator to exercise all or part of the authority of the office during the City Administrator's temporary absence or incapacity.

SECTION 8. Reimbursable Expenses. The City Administrator shall be entitled to have expenses reimbursed as would any other employee or officer of the City of Starbase, Texas.

SECTION 9. Penalty. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$2,000 for all violations involving fire safety, or public health and sanitation, and shall be fined not more than \$500 for all other violations of this Ordinance. Each day or any portion thereof during which any violation of this Ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 10. Severability. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases 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 Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 11. Repealer. This Ordinance shall be cumulative of all provisions of the ordinances and resolutions of the City of Starbase, as amended, affecting the office and duties of the City Administrator, and shall not repeal any of the provisions of such ordinances and resolutions except in those instances where provisions of such ordinances and resolutions are in direct conflict with the provisions of this Ordinance.

SECTION 12. Engrossment/Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

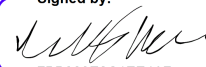
SECTION 13. Publication. The City Clerk is hereby directed to publish the caption, penalty clause, and effective date of this Ordinance as provided by law.

SECTION 14. Effective Date. This Ordinance shall become effective upon its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED by the City Commission of the City of Starbase, Texas, on this 14th day of July, 2026.

CITY OF STARBASE, TEXAS

Signed by:



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Bobby Peden, Mayor

ATTEST:

Signed by:



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Gretchen Norton, City Clerk

APPROVED AS TO FORM:

Signed by:



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Caleb Rush, City Attorney

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