

**RESOLUTION No. 2016-197
CITY OF SHOREACRES**

A RESOLUTION RESCINDING RESOLUTION NO. 2016-186; AUTHORIZING ALDERMEN TO CONSULT WITH THE CITY ATTORNEY WITHOUT LIMITATION; DIRECTING THE CITY ATTORNEY TO ATTEND CITY COUNCIL MEETINGS UPON REQUEST; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * *

WHEREAS, the city attorney serves as the legal advisor of, and the attorney for, all of the officers, offices, and departments of the city; and,

WHEREAS, the city attorney may be called upon to draft, review, approve, or file written legal objections to, any ordinance before it is acted upon by the council; and,

WHEREAS, the city attorney reviews documents, contracts, and other legal instruments in which the city may have an interest and which council may act to approve; and,

WHEREAS, timely access to the city attorney's legal advice and opinions is fundamental to the efficient legislative operation of city council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS:

THAT, City of Shoreacres aldermen may consult the city attorney outside of a city council meeting on legal matters directly related to their office, ordinances or documents that may come before council, or the performance of their duties as an alderman, without limitation; and,

THAT, with reasonable notice the city attorney or his representative shall attend any meeting of the city Council upon the request of the mayor or upon the request of two or more aldermen; and,

The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED, this 25th day of July, 2016.

CITY OF SHOREACRES

(CITY SEAL)

By: _____
Kimberly Sanford, Mayor

ATTEST:

David K. Stall, CFM, TEM
City Secretary

M/2		Yea	Nay	N/V	Absent
	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	R. Bowles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	R. Hoskins	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M	D. Jennings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. McKown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	N. Schnell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed 07.25.16

David Stall, City Secretary - Date

City of Shoreacres



RETURN FOR RECONSIDERATION (VETO MEMORANDUM)

The below referenced ordinance or resolution, a copy of which is attached hereto as passed by city council, has not been signed or approved by the mayor. Under the authority granted me by the City of Shoreacres City Code, Sec. 2-37, and the Texas Local Government Code, Sec. 52.003, I am returning said resolution or ordinance for city council reconsideration. My objections to the passage and adoption are set out below.

Ordinance/Resolution

Resolution No. 2016-197

Caption


A RESOLUTION AUTHORIZING ALDERMEN TO CONSULT WITH THE CITY ATTORNEY WITHOUT LIMITATION; DIRECTING THE CITY ATTORNEY TO ATTEND CITY COUNCIL MEETINGS UPON REQUEST; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Date Passed by City Council

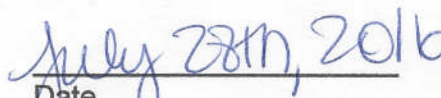
July 25, 2016

Statement of Objection(s)

I object to authorizing aldermen to consult with the city attorney without limitations. This resolution would cause additional attorney expenses that have not been budgeted. Additionally, a budget amendment is for emergencies. Allowing unlimited consultation with the attorney by the aldermen is not an emergency, which is required for a budget amendment.



Kimberly Sanford, Mayor



Date

NOTICE TO SHOREACRES CITY COUNCIL

The above referenced ordinance or resolution has been returned to the city secretary's office unsigned and with objections before the fourth day after passage. In accordance with city code and state law this ordinance or resolution will be placed on the next city council agenda for the purpose of reconsideration of the vote taken on the date shown above. This ordinance or

resolution is not now effective and will not become effective except upon the affirmative vote of three council members at the time of reconsideration. If approved upon reconsideration the ordinance or resolution will become effective with or without the mayor's signature.

David K. Stall, CFM, TEM
City secretary

Date

City of Shoreacres



RECONSIDERATION

The below referenced ordinance or resolution, a copy of which is attached hereto was considered and passed by City Council on August 8, 2016.

Ordinance/Resolution

No. R-2016-197

Caption

A RESOLUTION RESCINDING RESOLUTION NO. 2016-186; AUTHORIZING ALDERMEN TO CONSULT WITH THE CITY ATTORNEY WITHOUT LIMITATION; DIRECTING THE CITY ATTORNEY TO ATTEND CITY COUNCIL MEETINGS UPON REQUEST; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

On July 28, 2016, Resolution No. 2016-192 was vetoed by the Mayor and sent back to City Council unsigned for reconsideration. A copy of the Return for Reconsideration is attached hereto.

On August 8, 2016, City Council met and reconsidered Resolution No. 2016-197.

Certification of Reconsideration, Approval, and Adoption

I hereby certify that Resolution No. 2016-192 was reconsidered and passed by City Council on August 8, 2016, and as a result thereof is effective immediately without the mayor's signature.




 David K. Stall, CFM, TEM
 City secretary

08.09.16

 Date

M/Z		Yea	Nay	N/V	Absent
	K. Sanford	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Z	R. Bowles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	R. Hoskins	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M	D. Jennings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. McKown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	N. Schnell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed



 David Stall, City Secretary - Date

08.08.16