

**ORDINANCE NO: O-2023-30**

**AN ORDINANCE APPOINTING GENERAL COUNSEL AND CITY ATTORNEY FOR THE CITY OF PHARR; PROVIDING FOR QUALIFICATIONS; DUTIES, COMPENSATION, FEES, COSTS, TENURE; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE**

**WHEREAS**, the Board of Commissioners desires to take action to arrange for the service of THE RICKY ROD LAW GROUP, as Attorney for the City of Pharr; and

**WHEREAS**, the Board of Commissioners may also separately designate a criminal prosecutor to handle cases in municipal court to further the efficiency and reduce the case load that may result.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS:**

**SECTION 1: Authority.** In accordance with Article IV, Section 2 of the Pharr City Charter, the Board of Commissioners may by Ordinance appoint a City Attorney and shall prescribe and fix the duties, compensation, qualifications, and tenure.

**SECTION 2: Appointment and Tenure.** That from and after the effective date of this Ordinance, THE RICKY ROD LAW GROUP be and is hereby appointed as General Counsel and City Attorney for the City of Pharr, Texas, to serve at the pleasure of the Board of Commissioners of the City of Pharr, Texas and to provide to provide the duties set out herein.

That in consideration for the appointment made herein, the City Attorney herein appointed shall perform all services required in a professional manner in accordance with all applicable rules and laws relating to legal services. This Ordinance shall constitute the entire agreement between the attorney herein appointed and the City of Pharr and shall constitute the contract between such parties; no further contract or agreement shall be required.

**SECTION 3: Qualifications:** The City Attorney shall be licensed to practice law in the State of Texas, be a member in good standing, and practice in state courts.

**SECTION 4: Duties:**

The City Attorney shall:

- (a) Represent the City and prosecute any and all criminal cases filed in the municipal court of the City of Pharr.
- (b) Counsel the Board of Commissioners of the City of Pharr, on such matters of a legal nature, and perform such legal services as the City Manager shall indicate.

The City Attorney herein appointed shall be deemed the chief legal officer of the City and shall represent the City in all matters pending in any forum without further specific authorization of the City Council of the City. The City Attorney, or other such attorneys selected by him, shall represent the City in all litigation. The City Attorney herein designated, or other such attorneys selected by him, shall appear in front of all official bodies, boards, and commissions of the City as may be required by the matters pending before such bodies. The City Attorney shall be designated the chief legal officer of the City.

**SECTION 5: Compensation.** The City of Pharr shall pay said City Attorney a reasonable fee in the amount of \$225 per hour for all services. The Attorney shall also recover all actual costs and expenses while in the course of providing such professional services.

**SECTION 6: Prosecutor.** The Board of Commissioners may also separately designate a prosecutor by resolution or ordinance to handle criminal cases in Municipal Court. Such designation would relieve the City Attorney of any duties in handling criminal cases in municipal court.

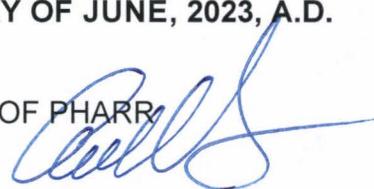
**SECTION 7: Repealing Clause.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 8: Severability Clause.** The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 9: Publication; Effective Date.** The importance of the subject matter of this Ordinance creates an emergency and an imperative public necessity requiring the suspension of the provision of the City Charter of the City of Pharr, Texas, that no Ordinance shall be Passed until it has been read on three (3) separate days and such provision of the City Charter is hereby suspended and said requirement dispensed with a majority of all members of the City Commission.

**PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, ON THIS THE 5<sup>th</sup> DAY OF JUNE, 2023, A.D.**

CITY OF PHARR



Ambrosio "Amos" Hernandez, Mayor

ATTEST:

  
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Hilda Pedraza  
City Clerk