

**RESOLUTION NO. 21-09**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KENEDY, TEXAS AUTHORIZING AN AMENDMENT TO SECTION THREE (3), SALARY, OF THE EMPLOYMENT AGREEMENT FOR EMPLOYMENT AS CITY MANAGER BETWEEN THE CITY OF KENEDY AND WILLIAM LINN; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the CITY OF KENEDY, TEXAS (the "City") in Karnes County, Texas, is a political subdivision of the State of Texas operating as a Type A general law municipality under the Constitution and laws of the State of Texas; and

**WHEREAS**, the City Council ("Council") hired William Linn ("Linn") as the City Manager of Kenedy, Texas and Linn accepted employment as the City Manager of Kenedy, Texas; and

**WHEREAS**, on March 12, 2020 the City and Linn entered into an "Employment Agreement for Employment as City Manager for the City of Kenedy, Texas"; and

**WHEREAS**, Council desires to Amend Section Three (3), Salary, of the "Employment Agreement for Employment as City Manager for the City of Kenedy, Texas"; and

**WHEREAS**, Linn agrees to the Amendment of Section Three (3), Salary, of the Employment Agreement; and

**WHEREAS**, Section 20(E) of the Agreement provides that the Agreement can be amended by the approval of the majority of the entire council and executed by written instrument by Linn and the Mayor of Kenedy.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENEDY, TEXAS THAT:**

**SECTION 1.** The foregoing recitals are incorporated into this Resolution by reference as finding of fact as if expressly set forth herein.

The Amendment to Section Three (3), Salary, of the Employment Agreement between the City of Kenedy and William Linn is approved as set forth in Exhibit "A" attached hereto and made part of this Resolution.

[Note – additions to Section Three (3), Salary, of the Employment Agreement (Exhibit "A") are shown as underlined and deletions are shown as ~~strikethrough~~]

**SECTION 2. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this resolution be severable, and, if any phrase, clause, sentence, paragraph, or section of this resolution shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this resolution and the remainder of this resolution shall be enforced as written.

**SECTION 3. Repealer.** This resolution shall be cumulative of all other resolutions of the City of Kenedy, and this resolution shall not operate to repeal or affect any other resolutions of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution, in which event such conflicting provisions, if any, are hereby repealed. The repeal or amendment of any resolution or part of resolutions effectuated by the enactment of this resolution shall not be construed as abandoning any action now pending under or by virtue of such resolution or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Kenedy under any section or provisions of any resolutions in effect at the time of passage of this resolution.

**SECTION 4.** That it is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting was given, as required by Chapter 551, as amended, Texas Government Code.

**SECTION 5. Effective Date.** This Resolution shall take effect on October 1, 2021 upon its adoption by the City Council.

PASSED and ADOPTED on the 14th<sup>h</sup> day of September 2021.

CITY OF KENEDY:

  
\_\_\_\_\_  
Joe Baker, Mayor

ATTEST:

  
\_\_\_\_\_  
Ruby Beaven, City Secretary

Exhibit "A"

**Amendment to Employment Agreement for Employment as City  
Manager for the City of Kenedy, Texas**

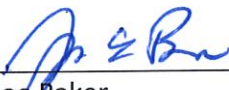
Effective as of October 1, 2021, the contract entitled Employment Agreement for Employment as City Manager for the City of Kenedy, Texas between City of Kenedy and William Linn will be changed as follows:

**Section 3. Salary.** The City agrees to pay Linn an annual base salary, which salary shall initially be ~~Eighty-Four Thousand Five Hundred Dollars 00/00 (\$84,500.00)~~ **One-Hundred Thousand Dollars 00/00 (\$100,000.00)**, payable in installments at the same time as other employees of the City are paid net of any applicable withholding or deductions required by the Applicable Laws and Authorities. The Council shall furnish a surety bond as may be required by the Council, the premium to be paid by the City.

These changes are the only changes to the original contract. The entire remainder of the original contract and other contract amendments remains in full force.


Signed and Agreed:

Representative of City of Kenedy

  
\_\_\_\_\_  
Name: Joe Baker  
Title: Mayor

Date: 9-14-2021

Representative of William Linn

  
\_\_\_\_\_  
Name: William Linn  
Title: City Manager

Date: 9/16/21