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**ORDINANCE NO. XXX-18**

**AN ORDINANCE OF THE CITY OF JUSTIN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JUSTIN, AS HERETOFORE AMENDED, BY AMENDING SECTION 2.78 TO PROVIDE FOR THE ADMINISTRATION OF THE CITY BY THE CITY MANAGER; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the citizens of the City of Justin, at an election held on the 6<sup>th</sup> day of November 2012 established a City Manager/Council form of government in the City as authorized by Chapter 25 of the Local Government Code; and,

**WHEREAS**, thereafter, the City Council by ordinance provided for the appointment of a City Manager and provided for the administration of City affairs by the City Manager; and

**WHEREAS**, all constitutional, statutory, and legal prerequisites for the passage of this Ordinance have been met, including but not limited to the Open Meetings Act; and

**WHEREAS**, the City Council has determined that it is in the best interest of the health, safety, and welfare of the public to adopt this Ordinance.

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

**SECTION 1.** That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

**SECTION 2.** That Article III, Division 2, of the Code of Ordinances, City of Justin, Texas, is hereby amended by amending Section 2.78(b) to read as follows:

**“SECTION 2.78(b) CITY MANAGER**

“b. Appoint, and, when necessary for the welfare of the City, remove any employee of the City. The City Manager may authorize the head of a department to appoint and remove subordinates in such department. The City Manager does not have the authority to hire and/or terminate the City Attorney, City Auditor, City Judge or City Prosecutor.”

**SECTION 3.** That Article III, Division 2, of the Code of Ordinances, City of Justin, Texas, is hereby amended by adding Section 2.78(c) to read as follows:

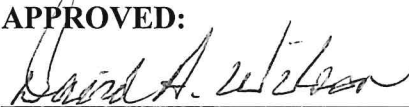
“c. The City Manager shall present their review of the City Secretary to the City Council annually. The City Manager must obtain the approval of the City Council to make any change to the compensation of the City Secretary or to terminate the City Secretary.”

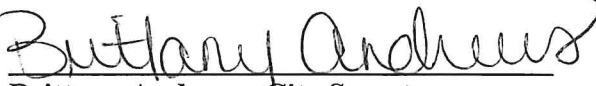
**SECTION 4.** That all ordinances of the City of Justin in conflict with the provisions of this ordinance or the Code of Ordinances, as amended hereby, are hereby repealed.


**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Code of Ordinances, as amended hereby, be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance or the Code of Ordinances as a whole, or any part or provision thereof, other than the part decided to be invalid, illegal or unconstitutional.

**SECTION 6.** This ordinance shall take effect immediately from and after its passage as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Justin, Texas, on the 23<sup>rd</sup> day of April 2018.

**APPROVED:**  
  
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David Wilson, Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Brittany Andrews, City Secretary

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
City Attorney

