

**ORDINANCE NO. 2002-2003-D**

**An ordinance amending the 2002-2003 Fiscal Year Budget of the City of Victoria by transferring \$115,552.80 from the General Fund Fund Balance to the Street Department Capital Sidewalk Line Item to provide funding for the City's local match portion of a TxDOT Transportation Enhancement Program Grant, authorizing the City Manager to execute an agreement with TxDOT to accept the Transportation Enhancement Program Grant in the amount of \$577,764, with \$462,211.23 in federal/state funding, repealing all conflicting ordinances, providing for severability; and declaring an effective date.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The Fiscal Year 2002-2003 Budget of the City of Victoria is amended by transferring \$115,552.80 from the General Fund Fund Balance (0001-300100), to the Street Department Capital Sidewalk Line Item (0001-01STR-900210) to provide funding for City's local match portion of a TxDOT Transportation Enhancement Program Grant

2.

The City Manager is authorized to execute an Agreement between the City of Victoria and the Texas Department of Transportation, in a form approved by the City Attorney, to accept the Transportation Enhancement Program Grant in the amount of \$577,764, with \$462,211.23 in federal/state funding

3.

If any provision of this ordinance, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

5.

In accordance with Article V, Section 5 of the Charter of the City of Victoria, the City Council finds a grave public necessity exists to amend the original budget to authorize the aforementioned expenditures to meet unusual and unforeseen conditions involving funding for the TxDot Navarro Underpass Project which could not by reasonable diligence, thought and attention have been included in the original budget.

6.

This ordinance shall take effect upon final approval and adoption by the City Council of the City of Victoria

PASSED FIRST READING, this the 1ST day of APRIL, 2003.

AYES: 7  
NAYS: 0  
ABSTENTIONS: 0

PASSED SECOND READING, this the 6TH day of MAY, 2003.

AYES: 6  
NAYS: 0  
ABSTENTIONS: 0

PASSED THIRD READING, this the 6TH day of MAY, 2003.

AYES: 6  
NAYS: 0  
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 6TH day of MAY, 2003.

ATTEST:

*Scarlet Swoboda*  
SCARLET SWOBODA, City Secretary  
Distribution: Planning Department  
Public Works Department  
Finance Department  
Legal Department



*Gary Middleton*  
GARY MIDDLETON, Mayor of the  
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

*David Atmar Smith*  
DAVID ATMAR SMITH, City Attorney  
Copies Sent: MAY 8, 2003