

**ORDINANCE NO. 2004-2005-B**

**An ordinance amending the 2004-2005 Fiscal Year Budget of the City of Victoria by transferring \$101,116.47 from the General Fund fund balance to the Street Department Streets & Roadways line item for the Fiscal Year 2004-2005 developer participation contracts; 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 2004-2005 Budget of the City of Victoria is amended by transferring \$101,116.47 from the General Fund fund balance (0001-300100) to the Street Department Streets & Roadways line item (0001-01STR-900200) for the Fiscal Year 2005 developer participation contracts.

2.

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.

3.

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

4.

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 infrastructure maintenance and repair needs which could not by reasonable diligence, thought and attention have been included in the original budget.

5.

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

PASSED FIRST READING, this the 15TH day of FEBRUARY, 2005.

AYES: 6  
NAYS: 0  
ABSTENTIONS: 0

PASSED SECOND READING, this the 1ST day of MARCH, 2005.

AYES: 7  
NAYS: 0  
ABSTENTIONS: 0

PASSED THIRD READING, this the 1ST day of MARCH, 2005.

AYES: 7  
NAYS: 0  
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 1ST day of MARCH, 2005.



ATTEST:

*Scarlet Swoboda*  
SCARLET SWOBODA, City Secretary

*Will Armstrong*  
WILL ARMSTRONG, Mayor of the  
City of Victoria, Texas  
*David Atmar Smith*  
APPROVED AS TO LEGAL FORM:  
DAVID ATMAR SMITH, City Attorney

Distribution: Finance Department  
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Public Works Department

Copies Sent: MARCH 9, 2005