

ORDINANCE NO. 2005-2006-B

An ordinance amending the 2005-2006 Fiscal Year Budget of the City of Victoria by transferring \$88,341.92 from the General Fund fund balance to the Street Department Sidewalks line item to provide funding for additional amounts owed pursuant to the "Advance Funding Agreement for a Transportation Enhancement Project" (Sidewalk and Pathway Improvements) with the Texas Department of Transportation (TxDOT), authorizing the City Manager to pay costs exceeding that agreement's original estimate in the amount of \$88,341.92, repealing all conflicting ordinances, providing for severability, declaring an emergency, and declaring an effective date.

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

1.

The Fiscal Year 2005-2006 Budget of the City of Victoria is amended by transferring \$88,341.92 from the General Fund fund balance (0001-300100) to the Street Department Sidewalks line item (0001-01STR-900210). The City Manager is authorized to pay costs exceeding the original "Advance Funding Agreement for a Transportation Enhancement Project" (Sidewalk and Pathway Improvements) with TxDOT in an amount not to exceed an additional \$88,341.92.

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All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.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 funding for the City's Advance Funding Agreement with TxDOT.

5.

In order to ensure funding is available as quickly as possible to eliminate continuing barricading costs under the TxDOT contract, an emergency is declared, and the requirement of Article II, Section 9 of the Victoria City Charter that no ordinance shall be passed on the date of its first reading is hereby suspended, and this ordinance shall become effective immediately upon passage by this City Council and publication of the heading hereof.

PASSED, this the 1st day of November, 2005.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 1st day of November, 2005.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Will Armstrong
WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:
David Atmar Smith
DAVID ATMAR SMITH, City Attorney

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Copies Sent: NOVEMBER 8, 2005