

ORDINANCE NO. 2007-2008-C

*Pulled from agenda
no action taken*

An ordinance amending the 2007-2008 Fiscal Year Budget of the City of Victoria by transferring \$209,539 from the General Fund fund balance to the General Fund Street Department Construction capital line item, and transferring \$209,539 from the General Fund Parks Department Transfer to Construction line item to the General Fund fund balance [net \$0 to general fund] to provide additional funding for the 2006-2007 Reclaim and Overlay Project; 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 2007-2008 Budget of the City of Victoria is amended by transferring **\$209,539** from the General Fund fund balance (0001-300100) to the General Fund Street Department Construction capital line item (001-01STR-970030), and transferring **\$209,539** from the General Fund Parks Department Transfer to Construction line item (0001-01PAR1-720300) to the General Fund fund balance (0001-300100) [net \$0 to general fund] to provide additional funding for the 2006-2007 Reclaim and Overlay Project, repealing all conflicting ordinances, providing for severability, and declaring an effective date.

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All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.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 of the 2006-2007 Reclaim and Overlay Project, which could not by reasonable diligence, thought and attention have been included in the original budget.

5.

In order to provide additional funding for the 2006-2007 Reclaim and Overlay Project, which is being authorized contemporaneously with this ordinance, 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.

PASSED EMERGENCY READING, this 8th day of January, 2008.

AYES:

NAYS:

ABSTENTIONS:

APPROVED AND ADOPTED, this the _____ day of January, 2008.

WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

ATTEST:

DAVID ATMAR SMITH, City Attorney
Copies Sent: _____

SCARLET SWOBODA, City Secretary
Distribution: Finance Department
Public Works Department
Legal Department