

**ORDINANCE NO. 2007-2008-K**

**An ordinance amending the 2007-2008 Fiscal Year Budget of the City of Victoria by transferring \$358,038.00 from the Environmental Services Fund Landfill Closure fund balance to the Environmental Services Fund Solid Waste Department Other Structures Capital line item to provide funding for Methane Gas System Improvements at the Victoria Landfill, 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 \$358,038.00 from the Environmental Services Fund Landfill Closure fund balance (4045-300100) to the Environmental Services Fund Solid Waste Department Other Structures Capital line item (4045-45SOL-900150) to provide funding for methane gas system improvements at the Victoria Landfill.

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All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.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

6.

In order to provide funding for the methane gas system improvements and reduce environmental risks as quickly as possible, 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 the 5<sup>th</sup> day of August, 2008.

AYES: 7

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 5<sup>th</sup> day of August, 2008.



\_\_\_\_\_  
WILL ARMSTRONG, Mayor of the  
City of Victoria, Texas



ATTEST:



SCARLET SWOBODA, City Secretary

Distribution: Finance Department  
Environmental Services Department  
Legal Department

APPROVED AS TO LEGAL FORM:



MILES RISLEY, City Attorney

Copies Sent: **August 6, 2008**