

ORDINANCE NO. 2008-2009-K

An ordinance amending the 2008-2009 Fiscal Year Budget of the City of Victoria by transferring \$1,114,409 from the Environmental Services Closure Fund fund balance to (1) Environmental Services Fund Landfill Closure Department Engineering capital line item, and (2) Environmental Services Fund Landfill Closure Department Construction capital line item, to provide funding for engineering and construction costs related to the new road and methane gas system improvements at the Victoria Landfill, 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 2008-2009 Budget of the City of Victoria is amended by transferring \$89,327 from the Environmental Services Closure Fund fund balance (4045-300100) to the Environmental Services Fund Landfill Closure Department Engineering capital line item (4045-45SOL1-970020) and \$1,025,082 to the Environmental Services Fund Landfill Closure Department Construction capital line item (4045-45SOL1-970030), to provide funding for engineering and construction costs related to the new road and 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All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.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.

PASSED FIRST READING, this the 16th day of June, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED SECOND READING, this the 7TH day of JULY, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED THIRD READING, this the 7TH day of JULY, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 7TH day of JULY, 2009.

WILL ARMSTRONG, Mayor of the City of Victoria, Texas

ATTEST:

SCARLET SWOBODA, City Secretary

APPROVED AS TO LEGAL FORM:

BY: GEORGE E. HYDE, City Attorney
DENTON, NAVARRO, ROCHA & BERNAL, P.C.

Distribution: Finance Department
Legal Department
Environmental Services

Copies Sent: JULY 8, 2009