

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE ADOPTING AN OPERATING BUDGET FOR THE CITY OF BAY CITY, TEXAS FOR FISCAL YEAR 2023 AND ALL DESIGNATED, SPECIFIED, NOTED, AND INDICATED LEVIES, RATES, RESERVES, REVENUE PROVISIONS, AND PLANNED EXPENDITURE INHERENT, EXPRESSED AND INCLUDED THEREIN; PROVIDING FOR A CUMULATIVE CLAUSE: PROVIDING FOR SEVERABILITY: AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Bay City, Texas, is desirous of adopting an Operating Budget for the fiscal year 2023 and

**WHEREAS**, the proposed Operating Budget was placed on file with the City Secretary on the 11th day of August 2022; and

**WHEREAS**, a public hearing on the Operating Budget for the City of Bay City for the fiscal year 2022 has heretofore been published in accordance with the law; and

**WHEREAS**, the required time has passed since the last public hearing as required by state law and the City of Bay City Home Rule Charter; and

**WHEREAS**, it is necessary, at this time that said budget is adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY THAT:**

**Section one. Operating Budget Approved.** The Operating Budget for the fiscal year 2023 is hereby approved and adopted and does include:

- a. all designated, specified, noted, and indicated levies, rate, reserves, revenues provisions, and planned expenditures inherent, expressed, and included therein; and
- b. a contingent appropriation of 0.5 percent of the total budget to be used for unforeseen expenditures. Expenditures from this appropriation shall be made only with Council approval, and a detailed account of all expenditures shall be recorded and reported.

**Section two. Cumulative and Conflicts.** This Ordinance shall be cumulative of all provisions of ordinances of the City of Bay City, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

**Section three. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality

shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section four.** City Council directs the Director of Finance to file the Operating Budget with the Municipal Clerk.

**Section five.** City Council directs the Director of Finance to ensure the Operating Budget, including the Cover Page, is posted on the City’s website.

**Section six. Effective Date.** This Ordinance shall become effective October 1, 2022.

**PASSED AND APPROVED** on this 13th day of September 2022.

\_\_\_\_\_  
Robert K. Nelson, Mayor  
City of Bay City

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeanna Thompson, City Secretary  
City of Bay City

\_\_\_\_\_  
Anne Marie Odefey, City Attorney

<b><u>Council Member:</u></b>	<b><u>Voted Aye</u></b>	<b><u>Voted No</u></b>	<b><u>Absent</u></b>
Robert K. Nelson Mayor	_____	_____	_____
Floyce Brown	_____	_____	_____
Jim Folse Mayor Pro Tem	_____	_____	_____
Brad Westmoreland	_____	_____	_____
Becca Sitz	_____	_____	_____
Blayne Finlay	_____	_____	_____