

## **AN ORDINANCE**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH AMENDING THE BUDGET OF THE CITY OF FAIR OAKS RANCH, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY; FIRST AND FINAL READING**

**WHEREAS**, the budget for the City of Fair Oaks Ranch, Texas for FY 2022- 2023 has heretofore been approved as provided by law and filed with the City Secretary under Ordinance 2022-12; and,

**WHEREAS**, per above said Ordinance 2022-12, the City Manager may move amounts within the same fund but budget amendments between funds must be approved by City Council by ordinance; and,

**WHEREAS**, pursuant to Texas LGC §102.010, budget amendments shall be passed and approved by City Council; and,

**WHEREAS**, staff recommends making the attached budget amendments as shown in Exhibit A; and,

**WHEREAS**, the City Council finds the budget amendments as detailed in the attachment are warranted; and,

**WHEREAS**, Greg Maxton, the Mayor of the City of Fair Oaks Ranch previously determined and declared a local disaster related to the February 2023 ice storm; and,

**WHEREAS**, at a Special Meeting on February 23, 2023, City Council voted and approved a motion allowing the City Manager to execute a not-to-exceed contract in the amount of \$300,000 for brush pick-up and disposal on City streets and right-of-way areas due to the local disaster; and,

**WHEREAS**, the City may reimburse the general fund if and when any disaster relief funds are received,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:**

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. That the City Secretary is hereby directed to file this ordinance as an Amendment to the original budget.

Section 3. That the Finance Director is hereby directed to amend the original budget with the amendments listed in the attachment Exhibit A.

Section 4. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Ordinance shall be in force and effect from its first and final passage, and any publication required by law.

**PASSED, ADOPTED, and APPROVED the 2<sup>nd</sup> day of March 2023 on one reading as an emergency measure pursuant to City Charter Section 3.06 F.4.**

	FOR	AGAINST	ABSTAIN
<b>Mayor Gregory C. Maxton</b>			
<b>Council Member Stroup</b>			
<b>Council Member Elizondo</b>			
<b>Council Member Bliss</b>			
<b>Council Member Koerner</b>			
<b>Council Member Parker</b>			
<b>Council Member Muenchow</b>			

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, City Secretary

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Denton Navarro Rocha Bernal & Zech, P.C., City Attorney