

## **AN ORDINANCE**

### **AMENDING THE BUDGET OF THE CITY OF FAIR OAKS RANCH, TEXAS FOR FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022**

**WHEREAS**, in April 2021 City Council approved a Professional Services Agreement for the design, permitting, bid and construction services for a Wastewater Treatment Plant Sludge Dewatering project, and,

**WHEREAS**, the project bids came in higher than the budgeted amount; and,

**WHEREAS**, additional funds from the Wastewater Capital Improvements Plan unallocated fund balance can cover the cost increase; and,

**WHEREAS**, the budget for the City of Fair Oaks Ranch, Texas for FY 2021- 2022 has heretofore been approved as provided by law and filed with the City Secretary under Ordinance 2021-04; and,

**WHEREAS**, the budget for the City of Fair Oaks Ranch, Texas for FY 2021- 2022 has heretofore been amended as provided by law and filed with the City Secretary under Ordinance 2022-05; 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 amendment as shown in **Exhibit A**; and,

**WHEREAS**, the City Council finds the need to increase appropriations to cover the cost of the Wastewater Treatment Plant Sludge Dewater project warranting a budget amendment detailed in the attachment.

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

- PART 1.** That the recitals contained in the preamble hereto 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 Council.
- PART 2.** That the City Secretary is hereby directed to file this ordinance as an Amendment to the original budget and the Finance Director is hereby directed to amend the original budget with the amendments listed in the attached **Exhibit A**.
- PART 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.
- PART 4.** That 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, as amended, Texas Government Code.

**PART 5.** This ordinance shall take effect following a second reading on June 16, 2022 and after passage, adoption and publication as may be required by governing law.

**PART 6.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

**PASSED and APPROVED on first reading the 2nd day of June 2022.**

**PASSED, APPROVED AND ADOPTED on second reading this 16th day of June 2022.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC, City Secretary

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