

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING ORDINANCE 2022-51 TO REALLOCATE FY 2022 UNUSED AMERICAN RESCUE PLAN FUNDS BACK TO THAT FUND AND BUDGET FOR ADDITIONAL CAPITAL EXPENDITURES; PROVIDING FOR REPEALER, SEVERABILITY AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, for FY 2022 funds that were transferred out of the American Rescue Plan Fund were not used,

**WHEREAS**, these unused funds need to be transferred back to that fund, and

**WHEREAS**, the City of Leon Valley now has a need to budget additional funds for two fire trucks; and

**WHEREAS**, Texas Local Government Code Section 102-0120 provides that a municipality is not prohibited from making changes to a budget for municipal purposes; and

**WHEREAS**, the Leon Valley City Council now desires to amend Ordinance 2022-51 as stated in Exhibit A;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

**SECTION 1.** That Exhibit A attached hereto mandates the funding source for the purchase of fire trucks and the reallocation of unused American Rescue Plan funds back to that fund.

**SECTION 2.** The financial allocations in this Ordinance are subject to approval by the Finance Director. The Finance Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations as necessary to carry out the purpose of this Ordinance.

**SECTION 3.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

**SECTION 4.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

**SECTION 5.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 20th day of June, 2023.

**APPROVED**

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**CHRIS RILEY**

MAYOR

Attest:

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**SAUNDRA PASSAILAIGUE, TRMC**

City Secretary

Approved as to Form:

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**NICOLE WARREN**

City Attorney