

ORDINANCE NO. 2009-O-5H

AN ORDINANCE AMENDING THE 2007/2008 FISCAL YEAR BUDGET BY AMENDING THE GENERAL FUND (01) AND THE FEMA ASSISTANCE FUND (97) TO ACCOUNT FOR CHANGES IN EXPENDITURES AND REVENUES; DECLARING A PUBLIC NECESSITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Angleton adopted the City Budget for fiscal year 2007-2008 at a regular meeting of the Council held in September of 2007; and

WHEREAS, the actual expenditures exceeded the Budget for the General Fund by \$2,240,400 due to transferring the actual cost and not the net expenditures; of Garbage expense and setting up the purchase of the Service Center; and the FEMA Assistance Fund by \$82,200.

WHEREAS, the General Fund revenues exceeded the budgeted amount by \$2,240,400; and the FEMA Assistance Fund by \$82,200

WHEREAS, these amendments of the 2007-2008 City Budget for fiscal year 2007-2008 are for municipal purposes; and

WHEREAS, the City Council has determined that passage of this amendment is the best interest of the City of Angleton and its residents and is a public necessity to properly reflect changes in expenditures and revenues in the budget which could not have been included in the budget through the use of reasonable diligent thought or attention:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct and are made a part of this ordinance as findings of fact.

SECTION 2. THAT the following amendments to the City Budget for fiscal year 2007-2008 as set forth in the attached Exhibit A are hereby incorporated herein by reference and made part of this Ordinance for all purposes and are hereby approved in their entirety. The details of the amendments are more particularly described in the Agenda action form attached hereto as Exhibit B and incorporated herein by reference for all purposes.

SECTION 3. **SEVERABILITY CLAUSE.** If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion thereof, and all provisions of this ordinance are declared severable for that purpose.

SECTION 4. OPEN MEETINGS CLAUSE. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and that a quorum of the City Council was present.

SECTION 5. FILING BUDGET AMENDMENT. That the Finance Director shall file a true and correct copy of this Ordinance with all attachments with the County Clerk of Brazoria County, Texas, the City Secretary and the State Comptroller of Public Accounts in Austin.

SECTION 6. EFFECTIVE DATE CLAUSE. This ordinance shall become effective as of May 26, 2009.

SIGNED AND APPROVED THIS 26th DAY OF MAY, 2009.

J. PATRICK HENRY, Mayor

Attest:

Approved as to Form:

SHELLY DEISHER, City Secretary

HERBERT L. PROUTY,
Interim City Attorney