CITY OF JOSHUA, TEXAS
ORDINANCE NO. 480-2009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2008 AND ENDING ON SEPTEMBER 30, 2009 AS ADOPTED BY ORDINANCE NO. 460-2008 FOR AN INCREASE IN REVENUES AND EXPENDITURES IN THE GENERAL FUND OPERATING BUDGET, CAPITAL IMPROVEMENT PROJECTS BUDGET, 4A ECONOMIC DEVELOPMENT FUND BUDGET, 4B ECONOMIC DEVELOPMENT FUND BUDGET, AND ADOPTING THE MUNICIPAL COURT TECHNOLOGY FUND BUDGET; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGETS, AS AMENDED AND ADOPTED; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Joshua heretofore adopted its Annual Budget for the fiscal year beginning on October 1, 2008, and ending on September 30, 2009; and

WHEREAS, said Budget was adopted by Ordinance No. 460-2008 on September 15, 2008, and after approval of said Ordinance, conditions have arisen that require amendment of the Budget adopted thereby for municipal purposes; and

WHEREAS, after full and final consideration, it is the consensus of the City Council that the 2008-2009 Fiscal Year budget as hereinafter set forth should be amended as provided herein.

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

SECTION 1.
INCORPORATION OF PREMISES

That the foregoing premises are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2.
APPROVAL OF AMENDMENT OF FY 2008-2009 BUDGET

(a) The Annual Budget for the Fiscal Year 2008-2009, including adjustments, is hereby amended to increase revenues and expenditures in the General Fund Operating Budget, the Capital Improvement Projects Budget, the 4A Economic Development Fund Budget, the 4B Economic Development Fund Budget, and to adopt the Municipal Court Technology Fund Budget as shown in Exhibit "A", attached hereto and incorporated herein.

(b) The expenditures and amendments authorized by this Ordinance are necessary to meet conditions or circumstances that could not have been included in the original budget through the use of reasonably diligent thought and attention.

SECTION 3.
EXPENDITURES

Expenditures during the 2008-2009 Fiscal Year shall be made in accordance with the amended budget approved herein, unless otherwise authorized by a duly enacted ordinance of the City, and said budget document shall be on file for public inspection in the office of the City Secretary.

SECTION 4.
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 5.
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6.
ENGROSSMENT AND ENROLLMENT

The City Secretary is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause, penalty clause, and effective date clause in the minutes of the City Council and by filing this Ordinance in the ordinance records of the City.

SECTION 7.
PUBLICATION CLAUSE

The City Secretary is hereby directed to publish in the Official Newspaper of the City, the Caption, and Effective Date clause of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 8.
EFFECTIVE DATE

The necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

DULY PASSED AND APPROVED this 21st day of May, 2009.

_____
Merle Breitenstein, Mayor
City of Joshua, Texas

ATTEST:

_____
Mary Beth Thomas, City Secretary
City of Joshua, Texas

APPROVED AS TO FORM AND CONTENT:

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Betsy Elam, City Attorney
City of Joshua, Texas