

ORDINANCE NO. 485-2009

AN ORDINANCE OF THE CITY OF JOSHUA, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010 AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Joshua, (hereinafter referred to as the "City"), is a Home Rule municipality located in Johnson County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Manager of the City submitted a budget proposal to the City Council prior to the beginning of the fiscal year, and in said budget proposal set forth the estimated revenues and expenditures; and

WHEREAS, the City Manager of the City has filed with the City Secretary a budget outlining all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2009, and ending September 30, 2010, (hereinafter referred as the "Budget"); and

WHEREAS, the Budget, a copy of which is attached hereto as Attachment "A" and incorporated herein for all purposes, specifically sets forth each of the various projects for which appropriations are delineated, and the estimated amount of money carried in the Budget for each of such projects; and

WHEREAS, the Budget has been filed with the City Secretary for at least thirty (30) days before the date the City Council made its tax levy for the fiscal year and such Budget has been available for inspection by any taxpayer; and

WHEREAS, the public notice of a public hearing on the proposed Budget, stating the date, time, place and subject matter of said public hearing, was given as required by the laws of the State of Texas; and

WHEREAS, such public hearing was held, prior approval of such date being hereby ratified and confirmed by the City Council, and those wishing to speak on the Budget were heard, and provided an opportunity to present their views on the proposed Budget; and

WHEREAS, the City Council has studied the Budget and listened to the comments of the taxpayers at the public hearing and has determined that the Budget attached hereto is in the best interest of the City and that same should be approved and adopted;

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

SECTION 1.

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2.

The Budget (Attachment "A") of the revenues of the City and the expenses of conducting the affairs thereof for the ensuing fiscal year beginning October 1, 2009 and ending September 30, 2010, as modified by the City Council, be and the same is, in all things adopted and approved as the Budget of the City of Joshua for the fiscal year beginning October 1, 2009, and ending September 30, 2010, and there is hereby appropriated from the funds indicated such projects, operations, activities, purchases and other expenditures as proposed in the Budget.

SECTION 3.

The City Council shall file or caused to be filed a true and correct copy of this Ordinance, along with the approved Budget attached hereto, and any amendments thereto, with the City Secretary. The City Manager shall file or cause to be filed a true and correct copy of this Ordinance, along with the approved Budget attached hereto, and any amendments thereto, in the office of the County Clerk of Johnson County, Texas as required by State law.

SECTION 4.

That the revised figures, prepared and submitted by the City Manager for the 2009/2010 budget, be and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved and appropriated.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED AND APPROVED ON THIS 17th DAY OF Sept. 2009.

APPROVED:

Merle Breitenstein, Mayor

ATTEST:

Mary Beth Thomas, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Betsy Elam, City Attorney