

ORDINANCE NO. 2007-03

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ADOPTING AMENDMENT NUMBER 2 TO THE ORIGINAL BUDGET OF THE CITY OF TOMBALL, TEXAS, FOR THE FISCAL YEAR 2006-2007, AS ADOPTED BY ORDINANCE NO. 2006-06; PROVIDING FOR APPROPRIATION OF FUNDS FROM THE GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS; CREATING THE MUNICIPAL COURT BUILDING SECURITY FUND, THE MUNICIPAL COURT TECHNOLOGY FUND, THE WATER CAPITAL RECOVERY FEE FUND AND THE SEWER CAPITAL RECOVERY FEE FUND; DIRECTING PUBLICATION OF THE CAPTION OF THIS ORDINANCE; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.

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WHEREAS, the City of Tomball fiscal year 2006-2007 Budget was adopted by Ordinance No. 2006-06, with the time and in the manner required by State law; and

WHEREAS, the City Council finds it is necessary to amend the 2006-2007 Budget to provide for the appropriation of funds for certain projects that are carry-over projects, or were estimated to be completed in 2005-2006 but were not completed or billed, for new staffing requirements, to provide for the proper accounting of certain fees collected by the City, and to allocate and reclassify funds as described in Exhibit A to this Ordinance; and

WHEREAS, the City Council finds that the significance of this matter is a matter of grave public necessity and a pressing need for the City of Tomball; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The facts and matters set out above in the recitations are found to be true and correct.

Section 2. There is hereby created and established a Municipal Court Building Security Fund, a Municipal Court Technology Fund, a Water Capital Recovery Fee Fund, and a Sewer Capital Recovery Fee Fund.

Section 3. The City of Tomball, Texas, Fiscal Year 2006-2007 Budget is hereby amended to provide for the appropriation and reclassification of funds as reflected in the attached Exhibit A. This **Amendment No. 2 To The Original Budget of the City of Tomball, Texas, For The Fiscal Year 2006-2007** shall be attached to and made a part of the Original budget by the City Secretary and filed as required by State law and the City Charter.

Section 4. **Publication; Effective Date; Open Meetings.** The City Secretary of the City of Tomball, Texas, is hereby directed to publish a descriptive caption of this Ordinance in the official newspaper of the City of Tomball, Texas. This Ordinance shall be effective after the publication requirement of the City Charter is satisfied. It is found and determined that the meetings at which this

Ordinance was considered were open to the public, as required by Chapter 551 of the Texas Government Code, and that advance public notice of the time, place, and purpose of the meetings was given.

Section 5. **Severability.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. **Repeal.** All ordinances or parts of inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 5TH DAY OF MARCH 2007.

COUNCILMAN QUINN	<u>AYE</u>
COUNCILMAN LAZENBY	<u>AYE</u>
COUNCILMAN FAGAN	<u>AYE</u>
COUNCILMAN HARVEY	<u>AYE</u>
COUNCILMAN DRIVER	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19TH DAY OF MARCH 2007.

COUNCILMAN QUINN	<u>AYE</u>
COUNCILMAN LAZENBY	<u>AYE</u>
COUNCILMAN FAGAN	<u>AYE</u>
COUNCILMAN HARVEY	<u>AYE</u>
COUNCILMAN DRIVER	<u>AYE</u>

(signed) H. G. Harrington
H. G. HARRINGTON, Mayor

ATTEST:

(signed) Doris Speer
DORIS SPEER, City Secretary