

ORDINANCE NO. 2008-33

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 2008-2009, AS ADOPTED BY ORDINANCE NO. 2008-25; PROVIDING FOR APPROPRIATION OF FUNDS FROM THE GOVERNMENTAL FUNDS AND THE PROPRIETARY FUNDS; 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.

* * * * *

WHEREAS, the City of Tomball fiscal year 2008-2009 Budget was adopted by Ordinance No. 2008-25, with the time and in the manner required by State law; and

WHEREAS, the City Council finds it is necessary to amend the 2008-2009 Budget to provide for the appropriation of funds for certain events, and to allocate and reclassify funds as described in the Exhibits to this Ordinance; and

WHEREAS, the City Council finds that the significance of this matter is a matter of 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. The City of Tomball, Texas, Fiscal Year 2008-2009 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 2008-2009** 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 3. 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 4. 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 5. **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 17TH DAY OF NOVEMBER 2008.

COUNCILMAN QUINN	<u>AYE</u>
COUNCILMAN LAZENBY	<u>AYE</u>
COUNCILMAN WEBB	<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 1ST DAY OF DECEMBER 2008.

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

Gretchen Fagan
GRETCHEN FAGAN, Mayor

ATTEST:

Doris Speer
DORIS SPEER, City Secretary

**General Fund
Fiscal Year 2009
Budget Amendment No. 2**

Exhibit "A"

	FY2009 Adopted Budget	10/24/08 Amendment	11/17/08 Amendment		Total Amended Budget
Revenues:					
Property taxes	\$ 1,772,115	\$ (204,878)	\$	\$	\$ 1,567,237
Sales taxes	7,278,200	(1,078,200)			6,200,000
Franchise taxes	1,213,480	(34,260)			1,179,220
Permits and licenses	329,660	(11,000)			318,660
Fines and warrants	398,700	245,000			643,700
Service fees	2,100,000				2,100,000
Transfer from Enterprise	1,778,313				1,778,313
Contributions	283,700	(151,800)			131,900
Interest	800,000	(220,000)			580,000
Other	241,880				241,880
Total Revenues	16,196,048	(1,455,138)	0	0	14,740,910
Expenditures:					
City Manager's Office	479,913		21,000	1	500,914
Mayor and Council	127,561	(34,000)			93,561
City Secretary	359,028	(8,309)			350,719
Human Resources	335,651		4,500	2	340,153
Finance	538,940	(17,654)			521,286
Information Systems	344,466	(36,284)			308,182
Legal	244,700				244,700
Non-Departmental	253,751				253,751
Building Permits and Inspections	400,812	(2,736)			398,076
Police	5,178,472	(183,309)			4,995,163
Fire	1,435,496	(281,705)	22,000	3	1,175,794
Fire Marshal	223,850	(24,657)			199,193
Emergency Services	17,600				17,600
Municipal Court	445,136	(2,183)			442,953
Public Works Administration	63,323				63,323
Engineering and Planning	1,105,072	(153,673)	1,462	4	952,865
Facilities Maintenance	459,212	(8,931)			450,281
Garage	201,370	(111,283)			90,087
Streets	1,028,402	(4,400)	70,000	5	1,094,007
Sanitation	2,350,100		16,500	6	2,366,606
Parks	552,968	(156,099)			396,869
Community Center	159,571				159,571
Total Expenditures	16,305,394	(1,025,223)	135,462	0	15,415,654
Net Income from Operations	(109,346)	(429,915)	(135,462)	0	(674,744)
Other Sources/(Uses):					
Proceeds from debt					
Vehicle Replacement	716,662				716,662
Capital Projects/Outlay	2,341,519	(1,499,519)	7,481,023	7	8,323,030
Total Other Sources/(Uses)	3,058,181	(1,499,519)	7,481,023	0	9,039,692
Revenues Over/(Under) Expenditures	(3,167,527)	(1,929,434)	7,345,561	0	(9,714,436)
Beginning Fund Balance	16,724,320				16,724,320
Ending Fund Balance	\$ 13,556,793	\$ (1,929,434)	\$ 7,345,561	\$ 0	\$ 7,009,884

45%

Footnotes:

- 1 - Balance of contract on Facility Needs Assessment to be used at a future date to complete study
- 2 - Balance of contract to be paid on salary survey
- 3 - Software for VisionAir and CAD system - approved supplemental for FY08 not completed, equipment maintenance for damage incurred during Ike
- 4 - Training and Planning book purchased in September not billed until October
- 5 - Asphalt overlay project
- 6 - Balance on contract for landfill closure work for FY08
- 7 - Capital projects - Agg Road, Barbara St Drainage, Brown-Hufsmith Rd Extension, Central Station Renovation, Landfill, Liberty/Hicks Drainage, M118, M121, M124, Mechanic St, Michel Rd, DT Tomball Sidewalks/Lighting, Quinn Rd, Rudolph Rd, Stovall Park Improv, Tennis Courts at Mattheson, Swimming Pool Repairs (removed by mistake in first amendment), School St. sidewalks

Enterprise Fund
Fiscal Year 2009
Budget Amendment No. 2

	FY2009		11/17/08		Total
	Total		Amendment		Amended
	Budget				Budget
Operating Revenues:					
Water sales	\$ 2,830,163	\$	\$	\$	\$ 2,830,163
Sewer sales	2,355,403				2,355,403
Gas sales	4,185,000				4,185,000
Tap fees	119,000				119,000
Reconnect fees	28,000				28,000
Interest	350,000				350,000
Other	842,400				842,400
Transfers	-				0
Total Operating Revenues	10,709,966	0	0	0	10,709,966
Expenses:					
Enterprise Administration	446,001				446,001
Utility Billing	417,316				417,316
Water	1,947,015				1,947,015
Wastewater	1,555,759				1,555,759
Gas	2,868,887				2,868,887
Transfer to General Fund	1,749,561				1,749,561
Total Operating Expenses	8,984,539	0	0	0	8,984,539
Net Revenue Available for Debt	1,725,427	0	0	0	1,725,427
Debt Service*					
Revenue Bonds	1,032,415				1,032,415
Certificates of Obligation	973,901				973,901
Fiscal Fees	5,000				5,000
Total Debt Service	2,011,316	0	0	0	2,011,316
Non-Operating Revenues (expenses)					
Proceeds from debt					
Transfers	-				
Vehicle replacement	121,510				121,510
Capital projects/outlay	715,000	2,622,101	1		3,337,102
Total Non-Operating Revenue	836,510	2,622,101	0	0	3,458,612
Net Income (Excluding Depr.)	(1,122,399)	(2,622,101)	0	0	(3,744,501)
Beginning Fund Balance	10,104,464				10,104,464
Ending Fund Balance	\$ 8,982,065	\$ (2,622,101)	\$ 0	\$ 0	\$ 6,359,963
Reserve Requirement (18% of Op.)	\$1,558,717				\$1,617,217
Reserve Level	103.7%				70.8%

Footnotes:

1 - Capital projects - Brown Hufsmith Rd. Utilities, Hufsmith Water & Gas Improv, Hufsmith Sanitary Sewer, Neal Rd. Util, Quinn Rd Improv, Rudolph Rd Utilities, Tomball Hills Lift Station, Water Well #5

Fleet Replacement Fund - General Fund
 Fiscal Year 2009
 Budget Amendment No. 2

	FY 2009 Adopted Budget	11/17/08 Amendment			Total Amended Budget
Revenues:					
Transfers	\$ 735,984	\$	\$	\$	\$ 735,984
Interest	20,000				20,000
Total	755,984	-	-	-	755,984
Expenditures:					
Capital Outlay	372,530	96,264	1		468,795
Total	372,530	96,264	-	-	468,795
Revenues Over (Under)					
Expenditures	383,454	(96,264)			287,189
Beginning Fund Balance	761,477				761,477
Ending Fund Balance	\$ 1,144,931	\$ (96,264)	\$	- \$	- \$ 1,048,666

Footnotes:

1 - Patrol vehicle for PD, Jet Rodder Truck for Streets (used to clean storm sewers), equipment for Fire Chief replacement vehicle