

CITY OF FORNEY, TEXAS

ORDINANCE NO. 18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, AMENDING ORDINANCE NO. 17-40, AS AMENDED, WHICH APPROVED AND ADOPTED A GENERAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018, BY TRANSFERRING FUNDS FROM THE CIP FUND TO THE UTILITY FUND; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Forney, Texas (“City”), is a home-rule city possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code, and the Home Rule Charter for the City of Forney, Texas; and

WHEREAS, the City is authorized to adopt and implement necessary and reasonable ordinances in the best interest of its citizenry; and

WHEREAS, Section 102.010 of the Texas Local Government Code authorizes the governing body of a municipality to make changes in the budget for municipal purposes; and

WHEREAS, the City Council of the City of Forney, Texas (“City Council”) hereby finds and determines that it is in the best interest of the citizens of the City of Forney to amend the City’s FY 2017-18 operating budget to transfer funds from the CIP Fund to the Utility Fund.

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

Section 1. FINDINGS INCORPORATED

All of the above premises are found to be true and correct factual and legislative determinations of the City of Forney and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. AN AMENDMENT OF ORDINANCE NO. 17-40

The City Council hereby amends Ordinance No. 17-40, which adopted the Fiscal Year 2017-2018 Budget of the City of Forney, as follows:

- a.** by transferring \$120,000 from the CIP fund to the Utility Fund for the purchase of a water line from Markout Water Supply Corporation.

Section 3. SEVERABILITY CLAUSE

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 is 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 of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 5. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this _____ day of _____, 2018.

ATTEST:

Rick Wilson, Mayor

Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

Jon Thatcher, City Attorney