

**CITY OF FORNEY, TEXAS**

**ORDINANCE NO. 20-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, AMENDING ORDINANCE NO. 19-42, AS AMENDED, WHICH APPROVED AND ADOPTED A GENERAL BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020, BY TRANSFERRING FUNDS FROM CIP PROJECTS 194, 195, 197 TO CIP PROJECT 193 IN ORDER TO COMBINE THESE PROJECTS AND BY TRANSFERRING FUNDS FROM THE CIP GENERAL FUND TO CIP PROJECTS 193 AND 196 FOR THE CONSTRUCTION OF A STORAGE FACILITY AND PROVIDE ADDITIONAL FUNDING FOR THE COMMUNITY DEVELOPMENT AND PUBLIC WORKS FACILITIES EXPANSION; 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 2019-2020 operating budget to transfer funds from CIP Projects 194, 195, 197 to CIP Project 193 in order to combine these projects into one, and to transfer funds from the CIP General Fund to CIP Projects 193 and 196 for the construction of a storage facility and to provide additional funding for the Community Development and Public Works Facilities expansion.

**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. 19-42**

The City Council hereby amends Ordinance No. 19-42, which adopted the Fiscal Year 2019-2020 Budget of the City of Forney, as follows:

Ordinance – Amend FY2019-2020 Budget re: transfer funds from CIP Projects 194, 195, 197 to CIP Project 193 in order to combine these projects into one; transfer from CIP General Fund to CIP Projects 193 and 196.

- a. by transferring \$400,000 from Fund 06 CIP 194 - Public Works Office expansion to Fund 16 CIP 193 - Community Development & Public Works Facility Expansion;
- b. by transferring \$350,000 from Fund 06 CIP 195 – Public Works Kaufman Street Facility to Fund 16 CIP 193 - Community Development & Public Works Facility Expansion;
- c. by transferring \$50,000 from Fund 06 CIP 197 – Public Works Shop Upgrades to Fund 16 CIP 193 - Community Development & Public Works Facility Expansion;
- d. by transferring \$100,000 from the CIP General Fund to Fund 16 CIP 193 – Community Development & Public Works Facility Expansion; and
- e. by transferring \$100,000 from the CIP General Fund to Fund 16 CIP 196 – Kaufman Street Storage, and renaming the fund to CIP 196 – City Storage Facility.

**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 \_\_\_\_\_, 2020.**

**ATTEST:**

\_\_\_\_\_  
**Mary Penn, Mayor**

\_\_\_\_\_  
**Dorothy Brooks, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Jon Thatcher, City Attorney**

Ordinance – Amend FY2019-2020 Budget re: transfer funds from CIP Projects 194, 195, 197 to CIP Project 193 in order to combine these projects into one; transfer from CIP General Fund to CIP Projects 193 and 196.