

## **ORDINANCE 2024-4006**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE BUDGET FOR THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD OF OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; FINDING THAT ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN PREPARATION AND PRESENTMENT OF SAID BUDGET; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the Charter of the City of La Porte, Texas, and the Statutes of the State of Texas, require that an annual budget be prepared and presented to the City Council of the City of La Porte, Texas, prior to the beginning of the fiscal year of said City, and that a public hearing be held prior to the adoption of said Budget; and

**WHEREAS**, the Budget for the fiscal year October 1, 2023, through September 30, 2024, has heretofore been presented to the City Council and due deliberation had thereon, was filed in the office of the City Secretary on August 14, 2023, and a public hearing scheduled for September 25, 2023, was duly advertised and held, and said Budget was finally approved by ordinance on September 25, 2023;

**WHEREAS**, Subsection (b) of Section 102.009 of the Texas Local Government Code provides that, after final adoption of the budget, the governing body of the municipality may spend municipal funds only in strict compliance with the budget, except in emergency, where in such cases the governing body of the municipality may authorize an emergency expenditure as an amendment to the original budget only in the case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention;

**WHEREAS**, Section 102.010 of the Texas Local Government Code provides that the governing body of a municipality may make changes to its budget for municipal purposes;

**WHEREAS**, the adoption of this ordinance and the amendment of the Budget is necessary for and in the best interest of the health, safety and general welfare of the inhabitants of the City;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:**

**SECTION 1.** A grave public necessity exists and to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention, the Budget must be amended and revised with respect to those appropriations set forth in Exhibit C, attached hereto by reference and made part hereof. In support thereof, the City Council finds that additional expenditures are necessary for the following purpose: \$575,000.00 in the general fund for repairs to the Sylvan Beach Pier for damages sustained from Hurricane Beryl. Such additional expenditures are more specifically described on Exhibit C.

**SECTION 2.** That the Budget for the City of La Porte, Texas, now before the said City Council for consideration, a complete copy of which is on file with the City Secretary and a summary of which is attached hereto by reference as Exhibit "A", is hereby amended as reflected on the amended budget summary document, attached hereto by reference as Exhibit "B", as the Budget for the said City of La Porte, Texas, for the period of October 1, 2023, through September 30, 2024.

**SECTION 3.** The several amounts stated in Exhibit C as the requested additional expenditures are hereby appropriated to and for the objects and purposes therein named and are found to be for municipal purposes.

**SECTION 4.** The amended and revised expenditures contained in the Budget, do not exceed the resources of each fund, as so amended and revised.

**SECTION 5.** The City Council finds that all things requisite and necessary to the adoption of said Budget and the amendments made hereto have been performed as required by charter or statute.

**SECTION 6.** Upon the passage and adoption of this ordinance, a copy of the ordinance shall be filed with the City Secretary, who shall attach a copy of same to the original budget.

**SECTION 7.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**SECTION 8.** This ordinance shall be in effect from and after its passage and approval.

**PASSED AND APPROVED this the 26<sup>th</sup> day of August 2024.**

**CITY OF LA PORTE, TEXAS**

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**Rick Helton, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

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**Lee Woodward, City Secretary**

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**Clark T. Askins, City Attorney**