

# ORDINANCE NO. 2008-04

***AN ORDINANCE OF THE TOWN OF HOLIDAY LAKES, TEXAS MAKING CERTAIN FINDINGS OF FACT REGARDING THE FILING OF A PROPOSED BUDGET FOR SAID TOWN BY THE MAYOR THEREOF; ADOPTING A BUDGET FOR SAID TOWN FOR THE FISCAL YEAR OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009; AUTHORIZING AND PRESCRIBING THE METHOD OF CONTRACTING AND PAYING FOR THE ITEMS OF EXPENSE CONTAINED THEREIN; PROVIDING FOR A SEVERANCE CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE FOR THIS ORDINANCE.***

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLIDAY LAKES, TEXAS:

SECTION ONE - THE CITY COUNCIL OF THE TOWN OF HOLIDAY LAKES, TEXAS, FIND AS A MATTER OF FACT:

- A. That, in compliance with the provisions of Chapter 102.001 and 102.005 of the Local Government Code, the Honorable Norman C. Schroeder, Mayor of said Town prepared a proposed budget for the fiscal year beginning October 1, 2008 and ending September 30, 2009, for said Town, found in this ordinance as "Attachment A."
- B. That, in compliance with said code, the said Mayor filed the same with the City Secretary of said Town, on the 15th day of July, 2008.
- C. That, in compliance with said Chapter of the Local Government Code, public notice of the date, time and place of the hearing to be conducted thereon by the City Council of said Town was given.

- D. That, this action is being taken at the conclusion of the public hearing held on said budget in compliance with Chapter 102 of the Local Government Code.

## **SECTION TWO - ADOPTION OF BUDGET**

The City Council of the Town of Holiday Lakes, Texas, pursuant to the provisions of Chapter 102 of the Local Government Code does hereby adopt said budget for said Town for the fiscal year which begins October 1, 2008 and which will end September 30, 2009, except for any changes hereinafter reflected, which the said City Council in their judgment hereby find that the law warrants and the best interest of the taxpayers of said Town demand, said budget, as changed, found in this Ordinance as "Attachment B."

## **SECTION THREE - EXPENDITURES**

The City Council of the Town of Holiday Lakes, Texas, hereby authorizes and prescribes the following method of contracting and paying for the items of expense contained in the budget of said Town for the Fiscal Year 2008/2009.

- A. Mayor or Mayor Pro Tem and City Secretary - in addition to paying the salaries of any public official or employee of the Town of Holiday Lakes, Texas, authorized by any ordinance or resolution of said Town, the Mayor or Mayor Pro Tem of said Town and the City Secretary of said Town are hereby authorized to contract for and purchase and to issue checks on funds of said Town, not exceeding a total amount of the amount budgeted, in payment of any item of expense authorized by

such budget without further authority from the City Council of said Town where the amount to be expended in any one instance is less than Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars.

- B. Expenses under \$15,000.00 - The Mayor and City Secretary of the Town of Holiday Lakes, Texas, shall be authorized to contract for and purchase and to issue checks on the funds of said Town, not exceeding a total amount of the amount budgeted, in payment of any item of expense authorized by such budget not falling within the provisions of Subsection A hereof, where the amount to be expended in any one instance does not exceed the sum of Fifteen Thousand and no/100 (\$15,000.00) Dollars after a favorable vote of a majority of the City Council present and voting at a regular or special meeting of said Town, the results of which are entered upon the minutes of such meeting.**
- C. Expenses of \$15,000.00 or over - The Mayor and City Secretary of the Town of Holiday Lakes, Texas shall be authorized to contract for and purchase and to issue checks on the funds of said Town not exceeding a total amount of the amount budgeted, in payment of any item of expenses authorized by the budget, where the amount to be expended in any one instance of Fifteen Thousand and no/100 (\$15,000.00) Dollars or more only after compliance with the competitive bidding requirements of Chapter 252 of the Local Government Code, and after a favorable vote of a majority of the City Council present and voting at a regular or special meeting of said Town, the results of which are entered upon the minutes of such meeting.**

## **SECTION FOUR - INDEBTEDNESS**

The City Council of the Town of Holiday Lakes, Texas, prior to going into debt or borrowing any funds for said Town in the fiscal year beginning October 1, 2008 and ending September 30, 2009, will require a favorable vote of four-fifths of City Council present and voting at a regular or special meeting of said Town, the results of which are entered upon the minutes of such meeting.

## **SECTION FIVE - SEVERANCE CLAUSE**

In the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective section or provision, if any, is hereby declared to be severable from the remaining sections and provisions which shall remain in full force and effect.

## **SECTION SIX - EFFECTIVE DATE OF THIS ORDINANCE**

This ordinance shall be effective immediately upon its passage and approval. Provided, however, that with respect to any item of expense covered by Subsection A of SECTION THREE of this ordinance, it shall be retroactive to the 1st day of October, 2008, so as to validate any and all checks drawn on the funds of said Town of Holiday Lakes, Texas, and issued on or after such date by the Mayor or Mayor Pro Tem and City Secretary in payment of any such item of expense.

**READ, PASSED AND APPROVED THIS THE  
9th DAY OF SEPTEMBER, A.D. 2008.**

**NORMAN C. SCHROEDER, MAYOR  
TOWN OF HOLIDAY LAKES, TEXAS**

**ATTEST:**

**DONNA J. BROWN, CITY SECRETARY  
TOWN OF HOLIDAY LAKES, TEXAS**