

ORDINANCE NO. 2022-03-06.01

AN ORDINANCE OF THE CITY OF MAYPEARL, ELLIS COUNTY, TEXAS, AMENDING THE 2022-2023 ANNUAL BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023 TO PROVIDE FOR THE REALLOCATION OF FUNDING FROM THE MUNICIPAL COURT PERSONNEL AND POLICE DEPARTMENT OPERATING BUDGETS TO THE POLICE DEPARTMENT PERSONNEL BUDGET FOR SALARY INCREASES FOR LAW ENFORCEMENT PERSONNEL; PROVIDING THAT EXPENDITURES SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET AS AMENDED; PROVIDING REQUIREMENTS FOR PUBLICATION AND FILING OF THIS ORDINANCE, PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 19, 2022 the City Council of the City of Maypearl, Texas (hereinafter, the “City”) adopted a budget for the City for the fiscal year beginning October 1, 2022 and ending September 30, 2023 as set forth in City Ordinance No. 2022-09-19 (the “2022-2023 Annual Budget”); and

WHEREAS, Section 102.010 of the Texas Local Government Code authorizes the City Council to make changes in the adopted budget for municipal purposes, and the changes to the budget made herein are for municipal purposes; and

WHEREAS, the amendments to the City’s 2022-2023 Annual Budget made herein are as a result of conditions and/or circumstances that have arisen and could not reasonably have been foreseen in the normal process of planning the budget, provide for additional expenses in which the general welfare of the citizenry is involved, and the City Council finds that the amendments provided for herein are of a serious public necessity and an urgent need for the City.

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

SECTION 1. The above and foregoing recitals are true and correct and are incorporated herein and made a part of this Ordinance.

SECTION 2. The City of Maypearl, Texas 2022-2023 Annual Budget is hereby amended to reallocate funding from the Municipal Court Personnel and Police Department Operating budgets to the Police Department Personnel budget for salary increases for law enforcement personnel as set forth below:

- (a) Reallocate \$10,000.00 from the Police Department, Operating, Fuel Budget line item to the Police Department, Personnel, Salaries (Non-Exempt) line item to increase salaries for non-exempt law enforcement personnel for recruitment and retention purposes.

- (b) Reallocate \$4,000.00 from the Police Department, Operating, Fuel Budget line item; \$2,200.00 from the Police Department, Operating, Ammunition Supplies Budget line item; and \$15,500.00 from the Municipal Court, Personnel, Clerk Municipal Budget line item to the Police Department, Personnel, (Exempt) line item to increase salaries for exempt law enforcement personnel for recruitment and retention purposes.
- (c) Amended amounts for the specific 2022-2023 Annual Budget line items affected by the reallocations listed in Section 2(a) and (b) herein, including the amendments listed therein, are adopted as follows:

<u>Municipal Court Expenses</u>	<u>2022-2023 Amended</u>
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Personnel

Clerk Municipal	\$ 24,000.00
Personnel Total	\$ 55,506.00
Total Municipal Court Expense	\$ 118,051.00

Police Department Expenses

Personnel

Salaries (Exempt)	\$ 125,000.00
Salaries (Non-exempt)	\$ 103,000.00
Personnel Total	\$ 279,173.00

Operating

Ammunition Supplies	\$ 800.00
Fuel	\$ 16,000.00
Operating Total	\$ 54,300.00

Total Police Department Expense	\$ 333,473.00
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SECTION 3. Expenditures. Pursuant to state law, expenditures during the 2022-2023 Fiscal Year shall be made in accordance with the City's 2022-2023 Annual Budget with the

amendments adopted in this Ordinance herein, unless amended further in accordance with Chapter 102 of the Texas Local Government Code.

SECTION 4. Publication of Ordinance. The City Secretary is hereby directed to ensure that copies of this Ordinance are maintained on file with the City Secretary's Office, posted on the website maintained by the City, and filed with the county clerk as provided by state law.

SECTION 5. Repealing Clause. All ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Severability Clause. The sections, paragraphs, sentences, phrases, and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid, void, unlawful or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, voidness, unlawfulness or unconstitutionality, which remaining portions shall remain in full force and effect.

SECTION 7. Effective Date. This Ordinance shall take effect upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Maypearl, Texas, on this the 10 day of March, 2023.

By: Joy L. Landry
Joy L. Landry, Mayor
City of Maypearl, Texas

ATTEST:

Danell Winter
Danell Winter, City Secretary
City of Maypearl, Texas

APPROVED AS TO FORM:

Nicole A. Corr
Nicole A. Corr, City Attorney