

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE 2018-2019 CAPITAL IMPROVEMENT FUND BUDGET FOR THE CITY OF DEER PARK, TEXAS, AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:**

**I.**

That the City of Deer Park's budget for the fiscal year ending September 30, 2018 was duly prepared and filed with the City Secretary, where it was available for inspection by any taxpayer.

**II.**

That the Deer Park Community Development Corporation (DPCDC) is a component unit of the City and was formed for the purpose of financing specific public park purposes, including the soccer field development project.

**III.**

That the DPCDC Fund was established by a dedicated one-half of one percent sales and use tax approved by the voters on May 9, 2015.

**IV.**

That the amount of \$4,000,000.00 was allocated for the soccer field development project from the dedicated Type B sales tax revenue approved by the voters.

**V.**

That the total amount of the construction bids received for the soccer field development project plus other associated project costs exceeded the amount allocated from the dedicated Type B sales tax by \$107,197.00.

**VI.**

That on November 7, 2017, the City Council approved an ordinance to amend the City of Deer Park's Capital Improvements Fund budget for the fiscal year ending September 30, 2018 for the additional \$107,197.00 needed to complete the soccer field development project since the project enhances and improves the City-owned park properties.

**VII.**

That the construction plans for the soccer field development project included sprigging of the four lighted soccer fields.

**VIII.**

That due to excessive rainfall, the contractor is unable to sprig the four lighted soccer fields as originally scheduled and the delay would postpone the availability of the fields for play until late 2019 or early 2020.

**IX.**

That to avoid postponing the planned play on the new soccer fields, the City has evaluated the installation of sod on two of the lighted fields in order to have the grass mature and ready for play in the fall of 2019.

**X.**

That it has been determined that an additional \$117,845.00 would allow the City to fund the purchase of sod for two of the lighted soccer fields.

**XI.**

That it has also been determined that the original amount of dirt to grade the new soccer fields was underestimated, and an additional 15,880 cubic yards of dirt is needed to meet the design grade specifications for the new soccer fields.

**XII.**

That given the contingency for the dirt purchase and given that other costs of the project have come in under budget, it has been determined that an additional \$171,205.00 would be needed to fund the purchase of the additional dirt to meet the design grade specifications for the new soccer fields.

**XIII.**

That the City of Deer Park's budget for the fiscal year ending September 30, 2019 was duly prepared and filed with the City Secretary, where it was available for inspection by any taxpayer.

**XIV.**

That it is necessary to amend the Capital Improvements Fund budget for the fiscal year ending September 30, 2019 to include an additional expenditure of \$289,050.00 to sod two of the lighted soccer fields and to purchase the additional dirt needed to meet the design grade specifications for the new soccer fields.

**XV.**

That funding for the amendment to the expenditures of the adopted budget of the Capital Improvements Fund for the fiscal year ending September 30, 2019 would include the amount of \$289,050.00 from the unassigned fund balance of the General Fund, which is available for this purpose.

**XVI.**

That the regular budget of the City of Deer Park, Texas, for the fiscal year ending September 30, 2019, be, and the same is hereby, in all respects finally approved and amended as so described and shall be, and is hereby, filed with the City Secretary of said City.

**XVII.**

That the amounts specified are for the purposes named in said budget, and they are hereby appropriated to and for such purposes.

**XVIII.**

That the City Secretary file copies of this Ordinance and of such budget with all public officers as required by the laws of the State of Texas.

**XIX.**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

**XX.**

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, and that approval of a 2018-2019 Budget amendment be adopted at the earliest possible moment to comply with the City Charter and Statutes of the State of Texas, and to provide protection for persons within the City, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction, and accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the \_\_\_\_ day of \_\_\_\_\_, 2019 **by a vote of** \_\_\_\_\_ **“Ayes” and** \_\_\_\_\_ **“Noes”.**

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**MAYOR**, City of Deer Park, Texas

**ATTEST:**

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City Secretary

**APPROVED:**

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City Attorney