

**ORDINANCE NO. 2019-48**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2019 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2019; and

**WHEREAS**, the Mayor and City Council have now provided for and conducted a public hearing on the budget as provided by law.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:**

**Section 1:** That the proposed budget amendment(s) for the Fiscal Year 2019, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said city for Fiscal Year 2019.


**Section 2:** If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

**Section 3:** This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

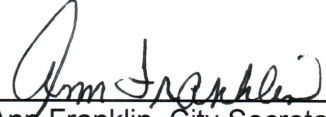
**READ and APPROVED** on First Reading on the 22<sup>nd</sup> day of October 2019.

**READ and ADOPTED** on Second Reading on the 13<sup>th</sup> day of November 2019.

**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

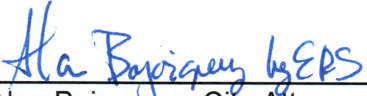
  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

EXHIBIT A

**FY 2019 Budget Book (Page 126)**

**Organizational – Contractual Services**

Original Budget	\$437,957
Expected Expenditure	<u>\$737,957</u>
Difference	<b>\$300,000</b>

This difference will be handled through two amendments as follows:

**Budget Amendment #1: General Fund-Legal Services**

The legal services were originally budgeted at \$200,000. This year we have had additional legal expenses outside the normal general business of the City. This additional work was highlighted in the FY 2020 City Managers budget memo: (Budget Book Page 18-19)

- In FY 2019, there was \$315,000 in unbudgeted expenses that have been covered by additional salary savings and unspent expenditures. Staff anticipated in the April/May timeframe that these expenditures could occur. An operational plan was established to monitor monthly. There is \$100,000 in litigation expenses that paid for the Vandiver settlement, which was not budgeted due to the unknown timing of payments per the agreement. City Attorney legal fees are projected to be \$415,000, which is \$215,000 more than budgeted due to the significant amount of work accomplished in FY2019 associated with ***Building Bastrop codes, the moratorium, the 1445 Ordinance, the Grandfathering Ordinance, the Storm Drainage Ordinance, and contract reviews for all new engineering contracts and CIP projects, just to name a few.*** The increase in attorney fees are due to one-time projects and not anticipated to be a reoccurring expense in FY 2020 at the FY 2019 level. A budget amendment will be required in September to cover these expenses, once we have a better grasp of final numbers.

The difference needs to be applied to the following accounts:

Legal Services (101-02-00-5525) **\$200,000**

The difference will be addressed through the following:

Salary Savings from following departments due to vacancies:		
City Manager	101-03-00-5101	\$25,000
Finance	101-05-00-5101	\$30,000
Information Technology	101-07-00-5101	\$6,000
Police-Administration	101-09-10-5101	\$20,000
Police-Code/Animal Control	101-09-12-5101	\$3,000
Fire	101-11-00-5101	\$10,000
Development Services-Planning	101-15-00-5101	\$14,000

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Public Works	101-18-15-5101	\$23,000
Parks	101-18-19-5101	\$13,000
Library	101-21-00-5101	\$23,000
Total Salary Savings		<b>\$167,000</b>
<b>Other accounts in the General Fund with available funds:</b>		
Information Technology-Travel & Training	101-07-00-5605	\$6,000
Police-Admin-Prisoner Housing	101-09-10-5663	\$6,000
Police (Code/Animal Control)-Contractual Services	101-09-12-5561	\$4,000
Public Works (Admin)-Contractual Services	101-18-10-5530	\$7,000
Development Services (Engineering)-Contractual Services	101-15-16-5505	\$10,000
Total Other Savings		<b>\$33,000</b>
<b>TOTAL AVAILABLE FUNDS</b>		<b><u>\$200,000</u></b>

This amendment is only a transfer between departments and has no effect on the General Funds fund balance.

**Budget Amendment #2: General Fund-Legal Settlement**

The settlement fees for the Vandiver lawsuit was not originally budgeted in FY2019. This settlement resulted in two payments of \$50,000 for a total of \$100,000 difference.

The difference needs to be applied to the following accounts:

Legal Services-Settlement (101-02-00-5527)      **\$100,000**

The difference will be addressed through the following:

Transfer in from the Innovation fund      **\$100,000**

As stated in the staff report, staff had identified the source of funding to cover this settlement liability. After the FY 2019 budget was approved the Fire Department re-evaluated several item requests that had been included in the Innovation Fund (see pages 222 & 223 of the FY 2020 Budget Book). The SCBA refurbished packs and bottles totaling (\$16,400 + \$71,000=**\$87,400**) would only extend the life for an additional two years. It was determined that purchasing new packs and bottles for a life of 15-20 years (which has now been included in the FY 2020 Certificate of Obligation for fire equipment) is the more responsible option. The additional **\$12,600** needed, is coming from the Chicken Capture-relocate line item that was not needed due to staff performing this function versus paying an outside party. These two items equal the **\$100,000** amount needed to cover the settlement liability.

This amendment is only a transfer between departments and has no effect on the General Funds fund balance.

EXHIBIT A

**Budget Amendment #3: Cemetery Fund**

During the month of June, the City was approached regarding property that was for sale adjacent to the front of Fairview Cemetery. The City had attempted to purchase this same piece of property several years prior, but the sale fell through. City Council approved the purchase of this property at the June 25, 2019 Council Meeting. The sale was completed in August 2019.

**FY 2019 Budget Book (Page 293)**

Original Budget – Total Expenditures	\$92,780
Actual Expense	<u>\$210,680</u>
Difference	<b>\$117,900</b>

The difference needs to be applied to the following accounts:

Capital Outlay-Real Property (525-00-00-6060) **\$117,900**

The difference will be addressed through the following:

Reduction in Fund Balance within the Cemetery Fund **\$117,900**