

ORDINANCE NO. 2023-61

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, ADOPTING AN OPERATING BUDGET IN THE AMOUNT OF \$321,150,452 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; AUTHORIZING CERTAIN ADJUSTMENTS TO THE BUDGET WITH THE APPROVAL OF THE CITY MANAGER; ADOPTING A FEE SCHEDULE; APPROVING FISCAL YEAR 2023-2024 CAPITAL IMPROVEMENTS PROGRAM PROJECTS IN THE AMOUNT OF \$77,033,000; INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. The City Charter provides for the City Council to set the time and place of a public hearing on the proposed annual budget for the City, and to cause notice of the hearing and a summary of the budget to be published in a newspaper of general circulation in the City.
2. The City Council set September 5, 2023, and September 19, 2023 as the dates for the public hearings on the budget and directed the staff to publish notice of the public hearings and a budget summary for the City's proposed budget for fiscal year 2023-2024.
3. Notice of the public hearings and budget summary were published in a newspaper of general circulation in the City on August 23, 2023.
4. Two public hearings on the City's proposed budget for fiscal year 2023-2024 were held on September 5, 2023 and September 19, 2023 and all interested persons were given an opportunity at the hearings to be heard for or against any item or the amount of any item contained in the budget.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The City of San Marcos 2023-2024 Annual Budget in the amount of \$321,150,452 is approved and adopted for the fiscal year beginning October 1, 2023, and ending September 30, 2024. A copy of the approved budget shall be kept on file in the office of the City Clerk.

SECTION 2. The amount shown in the City of San Marcos 2023-2024 Annual Budget is necessary to provide for a sinking fund for the payment of the principal and interest and the retirement of the bonded debt of the City and is appropriated for that purpose.

SECTION 3. The City Manager is authorized to make the following adjustments to the 2023-2024 Annual Budget without further approval from the City Council:

- (a) Transfers of funds among the accounts within each department;
- (b) Transfers of funds within an operating fund;
- (c) Transfers of funds for construction projects and equipment purchases from operating accounts to Capital Improvements Program accounts;
- (d) Reclassification of positions within each department;
- (e) Decreases in operating accounts in response to decreases in City revenues or other circumstances, where the decreases do not result in a transfer of funds to another account; and
- (f) Transfers of positions within an operating fund as long as full-time equivalencies (FTE's) are not increased within the fund.

SECTION 4. All projects for Fiscal Year 2023-2024 described in the Capital Improvements Program section of the 2023-2024 Annual Budget are approved in the amount of \$77,033,000, subject to the availability of funding of project costs from the funding source(s) identified for each project.

SECTION 5. The Annual Program of Services for the Hotel Occupancy Tax Fund in the 2023-2024 Annual Budget is approved as the City's promotional program to attract tourists and convention registrants to the City through:

- (a) The promotion of sports and ecological activities that promote tourism in the City;
- (b) The operation of the Main Street Program to encourage tourists and convention registrants to visit the Downtown Historical District;
- (c) The funding of art-related programs that promote tourism in the City;
- (d) The dedication of funding for a conference center constructed by the City;
- (e) One or more cost-sharing contracts for advertising program services with private firms to attract visitors to the City; and
- (f) The operation of the Convention and Visitors Bureau and related advertising and promotion of the City to attract visitors to the City.

SECTION 6. Any surplus hotel occupancy tax funds at the end of the 2023-2024 fiscal year may be deposited in the City Conference Center Debt Reserve Fund.

SECTION 7. The City Council approves the Authorized Personnel Schedule attached as Exhibit A.

SECTION 8. The City Council approves the Fee Schedule attached as Exhibit B.

SECTION 9. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 10. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 11. This ordinance shall become effective upon adoption.

PASSED AND APPROVED ON FIRST READING on September 5, 2023.

PASSED, APPROVED AND ADOPTED on September 19, 2023.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney