

ORDINANCE NO. 040129-10

AN ORDINANCE AMENDING THE FY 2003-2004 PARKS AND RECREATION DEPARTMENT CAPITAL BUDGET OF ORDINANCE NO. 030908-02 TO APPROPRIATE FUNDS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council amends the FY 2003-2004 Parks and Recreation Department Capital Budget of Ordinance No. 030908-02 to appropriate \$1,000,000 in proceeds from the settlement of *Lowe's Home Centers, Inc. v. City of Austin*, Cause No. GN300629 in the 98th Judicial District Court of Travis County, Texas, to be used for acquisition of mitigation land for protection of water quality and for the construction of water quality improvements for existing developments.

PART 2. The Council finds that the need to amend the budget constitutes an emergency, a grave public necessity, and an unusual and unforeseen condition that could not, by reasonable diligence, have been included in the original budget for the current fiscal year. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

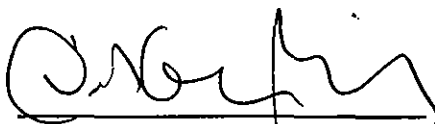
_____, January 29, 2004

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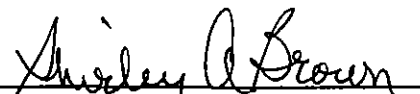
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk