

# CITY OF WILLOW PARK

ORDINANCE NO. 479 -02

**AN ORDINANCE AMENDING CHAPTER 11, "PUBLIC UTILITIES", ARTICLE 11.100, "OFFICE OF PUBLIC WORKS DIRECTOR" SECTION 11.101A "PUBLIC UTILITIES ORGANIZATION STATEMENT"; PROVIDING FOR FUND ACCOUNTABILITY AND EXPENSE PAYMENT EFFICIENCY; AND, AN EFFECTIVE DATE.**

**WHEREAS**, the City of Willow Park (City) is a municipal corporation organized under the laws of the State of Texas; and

**WHEREAS**, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

**WHEREAS**, the City operates a utility system as authorized by Chapter 402, TEX. LOCAL GOVT. CODE; and

**WHEREAS**, the City is delegated the authority to manage and control the finances of the municipality under Chapter 101, TEX. LOCAL GOVT. CODE, §101.002 "Control of Finances"; and

**WHEREAS**, in a letter to Management from Simmons, Wilkerson, Arthur, P.C., CPA, January 7, 2002, they did recommend to the City that the general fund, water fund and wastewater fund use a common checking account while recording shared expenses in the proper funds.

**NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:**

## SECTION 1. AUTHORIZATION

The Mayor, or his designee, is hereby authorized and directed to implement the applicable provisions of this ordinance as relates to controlling and managing the finances of the City of Willow Park, Texas

## SECTION 2. AMENDMENT

Amend Chapter 11, "Public Utilities"; Art. 11.100 "Office of Public Works Directors" §11.101A "Public Utilities Organization Statement" as follows:

“§11.101A Public Utilities Operation Statement  
The City of Willow Park operates Public Utilities consisting of a Waterworks System and a Sanitary Sewer System. The Waterworks System and Sanitary

Sewer System are operationally ~~and financially two~~ separate and distinct systems, ~~with their own distinctive rules, regulations, duties, obligations, and finances.~~ The City may, with proper audit controls, provide for the deposit, payment of debts, and expenses from or to a common account; that includes municipal public utilities, unless a special fund is required.

## SECTION 3. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

## SECTION 4. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

## SECTION 5. REPEAL OF CONFLICTING ORDINANCE

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict; in particular, Ordinance 415-97 adopted by the City Council December 16, 1997.

## SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective on or after its adoption.

PASSED AND ADOPTED this 19th day of March, 2002

/s/ James H. Poythress

Mayor

APPROVED AS TO FORM:

ATTEST

/s/ Candice J. Weaver  
City Secretary/Clerk

/s/ Rider Scott  
City Attorney

The Willow Park City Council in acting on Ordinance No. 479-02, did on the 19th day of March 2002 vote as follows:

	FOR	AGAINST
James H. Poythress, Mayor	_____	_____
Scott Rule, Place 1	<u>  X  </u>	_____
Terry Skaggs, Place 2	<u>  X  </u>	_____
Marvin Glasgow, Place 3	<u>  X  </u>	_____
Robin Brown, Place 4	<u>  X  </u>	_____
Gerald Liepert, Place 5	_____	_____