

**AN ORDINANCE**

**BY THE CITY UTILITIES COMMITTEE**

**AUTHORIZING THE MAYOR TO EXECUTE THE FOURTH AMENDMENT TO THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE ATLANTA REGIONAL COMMISSION (ARC) AND THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY, THE ATLANTA FULTON COUNTY WATER RESOURCES COMMISSION (AFCWRC), AND GWINNETT COUNTY; TO PROVIDE FOR PAYMENT OF ATLANTA'S CONTRIBUTION (\$100,000) AND THE CITY'S PORTION OF THE (AFCWRC \$50,000) IN ORDER TO FUND WORK IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO THE COMPREHENSIVE STUDY ON BEHALF OF THE DEPARTMENT OF WATER; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta did, on behalf of the Department of Water, enter into a technical assistance agreement with the Atlanta Regional Commission on May 20, 1992; and

**WHEREAS**, the City of Atlanta entered this agreement in order to be a part of a cooperative effort with other governmental agencies to insure that its citizens will continue to receive the desired quantity and quality of water; and

**WHEREAS**, additional funds are needed to complete the study and provide technical responses to the various scenarios presented during the course of the tri-states negotiations; and

**WHEREAS**, the Commissioner of the Department of Water has recommended that the contract with the Atlanta Regional Commission (ARC) be amended to increase the amount by \$100,000.00, not to exceed a total contract amount of \$500,000.00

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,  
HEREBY ORDAINS THAT:**

**Section 1.** That the 2001 (Water and Sewerage Renewal and Extension Fund) Budget be and is hereby amended as follows:

	<u>Transfer from Appropriations</u>	
2J01 T11001 791001	Reserve for Appropriations	\$100,000

	<u>Transfer to Appropriations</u>	
2J01 724001 Q21101	Consultant/Professional Services	\$100,000

**Section 2.** The Mayor is hereby authorized to execute an amendment to the Technical Assistance Agreement with the Atlanta Regional Commission (ARC) which shall increase the amount by \$100,000.00, not to exceed a total contract amount of \$500,000.00.

**Section 3.** The Mayor is authorized to make payment on behalf of the Atlanta Fulton County Water Resources in the amount of \$100,000 (one half of that to be reimbursed by Fulton County).

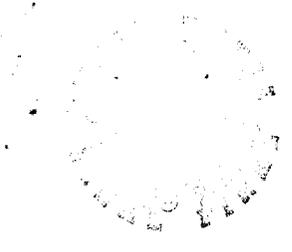
**Section 4.** That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 05, 2001  
NOV 13, 2001



**FOURTH AMENDMENT  
TO TECHNICAL ASSISTANCE AGREEMENT  
REGARDING WATER SUPPLY**

**THIS AGREEMENT**, entered into as of this \_\_\_\_ day of \_\_\_\_\_, by and between the CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY, FULTON COUNTY, ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION, and GWINNETT COUNTY, (hereinafter referred to as the "Participants"), and ATLANTA REGIONAL COMMISSION (hereinafter referred to as "ARC").

**WITNESSETH THAT:**

**WHEREAS**, the Participants did enter into an agreement with ARC, dated May 20, 1992, in which the ARC agreed to perform certain professional services for the Participants and the Participants agreed to compensate ARC for the performance of such services in the amount of \$100,000 each, all as more fully set forth in said agreement; and

**WHEREAS**, the parties hereto have previously amended said contract as of May 20, 1996, April 5, 1999 and November 13, 2000, including increasing the compensation by \$100,000 each time to a total of \$400,000 each; and

**WHEREAS**, the parties wish to further amend said contract increasing the compensation an additional \$100,000 each to a total of \$500,000, and extend the term of the agreement by one (1) year, each as set forth herein below.

**NOW**, therefore and in consideration of the mutual benefits to the parties, the parties agree that said contract is hereby amended as follows;

1. The first sentence of Item 5, Monetary Contributions by Participants, is hereby revised to read: "Each of the Participants agrees to contribute a total contribution of Five Hundred Thousand Dollars (\$500,000)."
2. The last sentence of Item 7, Term, is hereby revised to read: "In no event however, shall this agreement survive beyond December 31, 2002, except by mutual agreement of the affected parties."
3. Effective with the execution of this amendment, Fulton County (original permit holder) is replaced as a participant in the Technical Assistance Agreement by the Atlanta-Fulton County Water Resources Commission.

The parties hereto understand and agree that this amendment may be executed in counterparts.

Technical Assistance Agreement  
Regarding Water Supply  
Amendment # 4

Except as specifically modified hereinabove, the remainder of said agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Participants and ARC hereunto agree effective as of the date above written.

**City of Atlanta**

\_\_\_\_\_  
Bill Campbell, Mayor

\_\_\_\_\_  
Attested  
Commissioner, Water Department

**Cobb County - Marietta Water Authority**

\_\_\_\_\_  
Scott C. Craddock, Chairman

\_\_\_\_\_  
Attested

**DeKalb County**

\_\_\_\_\_  
Vernon Jones  
Chief Executive Officer  
DeKalb County, Georgia

Approved as to Form:

\_\_\_\_\_  
County Attorney

ATTESTED:

\_\_\_\_\_  
Ex Officio Clerk of the  
Chief Executive Officer  
and Board of Commissioners  
of DeKalb County, Georgia

**Technical Assistance Agreement  
Regarding Water Supply  
Amendment # 4**

**Fulton County**

\_\_\_\_\_  
Mike Kenn, Chairman

Approved as to Form:

ATTEST:

\_\_\_\_\_  
Office of the County Attorney

\_\_\_\_\_  
Clerk to the Commission

Approved as to Content:

\_\_\_\_\_

**Gwinnett County**

\_\_\_\_\_  
F. Wayne Hill, Chairman

Approved as to Form:

Attested

\_\_\_\_\_  
Assistant County Attorney

\_\_\_\_\_

**Atlanta-Fulton County Water  
Resources Commission**

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**Atlanta Regional Commission**

\_\_\_\_\_  
Director

\_\_\_\_\_  
Attested, Assistant Secretary

\_\_\_\_\_  
Chair

RCS# 3243  
11/05/01  
6:49 PM

Atlanta City Council

Regular Session

01-O-1696                    4th Amendment to Technical Assistance  
                                 Agreement regarding Water Supply  
                                 ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 6  
EXCUSED: 0  
ABSENT 0

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	NV Martin	Y Emmons
NV Bond	Y Morris	NV Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

01-0-1696

(Do Not Write Above This Line)

AN ORDINANCE BY: *Paul A. S...*  
 AUTHORIZING THE MAYOR TO EXECUTE THE NORTH FOURTH AMENDMENT TO THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE ATLANTA REGIONAL COMMISSION (ARC) AND THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY DEKALB COUNTY, THE ATLANTA FULTON COUNTY WATER RESOURCES COMMISSION (AFCWRC), AND WINNETT COUNTY; TO PROVIDE FOR PAYMENT OF ATLANTA'S CONTRIBUTION (\$100,000) AND THE CITY'S PORTION OF THE (AFCWRC \$50,000) IN ORDER TO FUND IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO THE COMPREHENSIVE STUDY ON BEHALF OF THE DEPARTMENT OF WATER; AND FOR OTHER PURPOSES.

ADOPTED BY  
 NOV 05 2001  
 COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred *10/15/01*  
 Referred To: *City Utilities*

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_

Committee *City Utilities*  
 Date *10/30-01*  
 Chair *Clair Miller*  
 Actions: \_\_\_\_\_  
 Fav, Adv, Held (see rev. side) \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_  
 Refer To: \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Actions: \_\_\_\_\_  
 Fav, Adv, Held (see rev. side) \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_  
 Refer To: \_\_\_\_\_

COUNCIL ACTION

- 2nd Reading
- 1st & 2nd Reading
- 3rd Reading
- Consent Vote
- V Vote
- RC Vote

CERTIFIED

CERTIFIED  
 NOV 5 2001  
 ATLANTA CITY CLERK

CERTIFIED  
 NOV 05 2001

*Frank*  
 DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

*Paul A. S...*  
 NOV 1 2001

Removed from consent by *M...*