AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE

08-O -2295

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 WATER AND WASTEWATER BUDGET, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN THE AMOUNT OF FIVE HUNDRED THIRTY NINE THOUSAND DOLLARS AND NO CENTS ($539,000.00) BY TRANSFERRING FUNDS FROM 5052 (WATER AND WASTEWATER) 200101 (NDP RESERVATION OF FUND) 5999901 (RESERVE CONVERSION ACCOUNT) 1512000 (ACCOUNTING) TO 5051 (WATER AND WASTEWATER) 170201 (DWM WASTEWATER TREATMENT) 5750002 (PROPERTY/ LIQUIDATION) 4310000 (SANITARY ADMINISTRATION) FOR LITIGATION EXPENSES ASSOCIATED WITH DEPARTMENT OF WATERSHED MANAGEMENT MATTERS; AND FOR OTHER PURPOSES.

WHEREAS, the approved budgeted amount to cover litigation expenses associated with Department of Watershed Management matters for Fiscal Year 2009 has been exceeded; and

WHEREAS, there are several matters that were not projected to be resolved in Fiscal Year 2009, but have presented a resolution that is not only reasonable, but in the best interest of the City of Atlanta ("City"); and

WHEREAS, the City desires to transfer funds in the amount of $539,000.00, to cover litigation expenses associated with resolving these matters.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the Chief Financial Officer is authorized to amend the 2009 (Water and Wastewater) Budget as follows:

TRANSFER FROM APPROPRIATIONS

5052	Water and Wastewater Fund	
200101	NDP Reservation of Fund	
5999901	Reserve Conversion Account	
1512000	Accounting	
Total		**$ 539,000.00**

TRANSFER TO APPROPRIATIONS

5051	Water and Wastewater Fund

170201	DWM Wastewater Treatment	
5750002	Property/ Liquidation	
4310000	Sanitary Liquidation	
Total		**$ 539,000.00**

SECTION 2: That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 WATER AND WASTEWATER BUDGET, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN THE AMOUNT OF FIVE HUNDRED THIRTY NINE THOUSAND DOLLARS AND NO CENTS ($539,000.00) BY TRANSFERRING FUNDS FROM 5052 (WATER AND WASTEWATER) 200101 (NDP RESERVATION OF FUND) 5999901 (RESERVE CONVERSION ACCOUNT) 1512000 (ACCOUNTING) TO 5051 (WATER AND WASTEWATER) 170201 (DWM WASTEWATER TREATMENT) 5750002 (PROPERTY/ LIQUIDATION) 4310000 (SANITARY ADMINISTRATION) FOR LITIGATION EXPENSES ASSOCIATED WITH DEPARTMENT OF WATERSHED MANAGEMENT MATTERS; AND FOR OTHER PURPOSES.

Council Meeting Date: December 1, 2008

Requesting Dept.: Department of Law

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to transfer funds from appropriations to cover litigation expenses for Department of Watershed Management matters.

2. Please provide background information regarding this legislation.

There are several matters that were not projected to be resolved in the current fiscal year. However, resolutions for these matters have been presented that are very reasonable, and the City desires to settle these matters.

3. <u>If Applicable/Known:</u>

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc): N/A

(b) Source Selection: N/A

(c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

(e) **Number of Bids:** N/A

(f) **Proposals Received:** N/A

(g) **Bidders/Proponents:** N/A

(h) **Term of Contract:** N/A

4. **Fund, Department Organization and Account number:**

5. **Source of Funds:**

6. **Fiscal Impact:** $539,000

7. **Method of Cost Recovery:** N/A

This Legislative Request Form Was Prepared By:

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE **ATTN: GREG PRIDGEON**

Dept.'s Legislative Liaison: _Simone Brathwaite_____

Contact Number: _____404-330-6310_____

Originating Department: _Department of Law_____

Committee(s) of Purview: __Finance/ Executive Committee_____

Chief of Staff Deadline: ____November 12, 2008_____

Anticipated Committee Meeting Date(s): __ November 24, 2008_____

Anticipated Full Council Date: __December 1, 2008_____

Legislative Counsel's Signature: _____

Commissioner Signature: _____

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 WATER AND WASTEWATER BUDGET, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN THE AMOUNT OF FIVE HUNDRED THIRTY NINE THOUSAND DOLLARS AND NO CENTS ($539,000.00) BY TRANSFERRING FUNDS FROM 5052 (WATER AND WASTEWATER) 200101 (NDP RESERVATION OF FUND) 5999901 (RESERVE CONVERSION ACCOUNT) 1512000 (ACCOUNTING) TO 5051 (WATER AND WASTEWATER) 170201 (DWM WASTEWATER TREATMENT) 5750002 (PROPERTY/ LIQUIDATION) 4310000 (SANITARY ADMINISTRATION) FOR LITIGATION EXPENSES ASSOCIATED WITH DEPARTMENT OF WATERSHED MANAGEMENT MATTERS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): $539,000.00

Mayor's Staff Only

Received by CPO: _____ (date) Received by LC from CPO: _____ (date)

Received by Mayor's Office: 11/14/08 (date) Reviewed by: AC 11/14/08 (date)

Submitted to Council: _____ (date)

RCS# 2605
12/01/08
2:46 PM

Atlanta City Council

SPECIAL SESSION

CONSENT II

REFER

YEAS:	15
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II