

**AN ORDINANCE BY
CITY UTILITIES COMMITTEE**

AN ORDINANCE RESCINDING ORDINANCE NUMBER 09-O-0007 ADOPTED BY COUNCIL ON FEBRUARY 2, 2009 AND APPROVED BY THE MAYOR ON FEBRUARY 10, 2009 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 BUDGET (5052-2J21) WATER AND WASTEWATER RENEWAL AND EXTENSION FUND – COMMERCIAL PAPER SERIES I) IN THE AMOUNT OF FOUR MILLION FOUR HUNDRED FORTY THREE THOUSAND FOUR HUNDRED FORTY DOLLARS AND NO CENTS (\$4,443,440.00); TO TRANSFER FUNDS FROM APPROPRIATIONS IN SEWER GROUP I REHABILITATION (LAND & EASEMENT) AND SEWER GROUP 2 REHABILITATION (LAND & EASEMENT) ACCOUNTS AND ADD TO THE CAPITAL PROJECTS RESERVE (5052) FOR USE ON OTHER CAPITAL PROJECTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta owns and operates a water and wastewater system; and

WHEREAS, the City of Atlanta, Department of Watershed Management has requested rescinding 09-O-0007, as the decision has been made not to utilize this funding source; and

WHEREAS, these funds should remain in the existing Capital Projects for Appropriations and not be transferred to the Capital Project Reserve.

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

Section 2: That Ordinance 09-O-0007 is hereby rescinded.

Section 1: That all ordinances and parts of ordinances in conflict with the terms contained herein 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: City Utilities

Caption: AN ORDINANCE RESCINDING ORDINANCE NUMBER 09-O-0007 ADOPTED BY COUNCIL ON FEBRUARY 2, 2009 AND APPROVED BY THE MAYOR ON FEBRUARY 10, 2009 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 BUDGET (5052-2J21) WATER AND WASTEWATER RENEWAL AND EXTENSION FUND – COMMERCIAL PAPER SERIES I) IN THE AMOUNT OF FOUR MILLION FOUR HUNDRED FORTY THREE THOUSAND FOUR HUNDRED FORTY DOLLARS AND NO CENTS (\$4,443,440.00); TO TRANSFER FUNDS FROM APPROPRIATIONS IN SEWER GROUP I REHABILITATION (LAND & EASEMENT) AND SEWER GROUP 2 REHABILITATION (LAND & EASEMENT) ACCOUNTS AND ADD TO THE CAPITAL PROJECTS RESERVE (5052) FOR USE ON OTHER CAPITAL PROJECTS; AND FOR OTHER PURPOSES.

Council Meeting Date: May 4, 2009

Requesting Dept.: Watershed Management

B. To be completed by the department:

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

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to authorize rescinding Ordinance 09-O-0007 amending the FY 2009 Budget (Water & Wastewater Renewal and Extension Fund 5052-2J21 – Commercial Paper, Series I) in the amount of \$4,443,440.00 to transfer funds from Appropriations in Sewer Group I Rehabilitation (Land and Easement) and Sewer Group 2 Rehabilitation (Land and Easement) accounts and add to the Capital Projects Reserve (5052) for use on other Capital Projects. The City of Atlanta, Department of Watershed Management has requested rescinding 09-O-0007 as the decision has been made not to utilize this funding source.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

The Department of Watershed Management is seeking to rescind ordinance 09-O-0007 as the decision has been made not to utilize this funding source.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc):
- (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 Account Center (Ex. Name and number):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

Sewer Group 1 Rehabilitation: Project: # 17102650, Task: #101, Award: #505281387, Expenditure: Land: #5411001, Easement: #5411002 (\$1,463,440.00)

Sewer Group 2 Rehabilitation: Project: #17102445, Task: #102, Award: #505281387, Expenditure: Land: #5411001, Easement: #5411002 (\$2,980,000.00)

6. Fiscal Impact: N/A

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Ann Crim

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ City Utilities Committee _____

Chief of Staff Deadline: _____ April 16, 2009 _____

Anticipated Committee Meeting Date(s): _____ April 28, 2009 _____

Anticipated Full Council Date: _____ May 4, 2009 _____

Legislative Counsel's Signature: _____ *[Signature]* _____

Commissioner Signature: _____ *Robert J. Hunter* ^{XP} _____

Chief Procurement Officer Signature: _____ n/a _____

CAPTION

AN ORDINANCE RESCINDING ORDINANCE NUMBER 09-O-0007 ADOPTED BY COUNCIL ON FEBRUARY 2, 2009 AND APPROVED BY THE MAYOR ON FEBRUARY 10, 2009 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2009 BUDGET (5052-2J21) WATER AND WASTEWATER RENEWAL AND EXTENSION FUND – COMMERCIAL PAPER SERIES I) IN THE AMOUNT OF FOUR MILLION FOUR HUNDRED FORTY THREE THOUSAND FOUR HUNDRED FORTY DOLLARS AND NO CENTS (\$4,443,440.00); TO TRANSFER FUNDS FROM APPROPRIATIONS IN SEWER GROUP 1 REHABILITATION (LAND & EASEMENT) AND SEWER GROUP 2 REHABILITATION (LAND & EASEMENT) ACCOUNTS AND ADD TO THE CAPITAL PROJECTS RESERVE (5052) FOR USE ON OTHER CAPITAL PROJECTS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): n/a

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) *4/14/09* (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)