

10-0-0745
 (Do Not Write Above This Line)

10-0-

AN ORDINANCE BY:

FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2010 (2004 WATER AND WASTEWATER BOND FUND, FUND 5058) BUDGET BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF FIVE MILLION DOLLARS AND NO CENTS (\$5,000,000.00) TO RECORD THE REFUND OF CERTAIN FUNDS FROM THE ATLANTA BELTLINE, INC. ("ABI") DUE TO PROJECT UNDERRUNS FOR THE CLEAR CREEK COMBINED SEWER BASIN RELIEF PROJECT, PER THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA AND ABI; AND FOR OTHER PURPOSES.

SUBSTITUTE ADOPTED BY

MAY 17 2010

COUNCIL

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

Date Referred 05/03/10

Referred To: Finance Exec.

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
 Committee Finance/Executive - Comm
 Date 4/28/10
 Chair W. Walker
 Referred To Finance/Executive's Comm

Committee Finance/Executive
 Date 5/12/10
 Chair W. Walker
 Action Other
 Fav, Adv, Hold (see rev. side) Other
 Members Other

Refer To W. Walker

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Members _____

Refer To _____

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED
 MAY 17 2010
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 MAY 17 2010
 R. Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 MAY 25 2010
 Mayor



**A SUBSTITUTE ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2010 (2004 WATER AND WASTEWATER BOND FUND, FUND 5058) BUDGET BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF FIVE MILLION DOLLARS AND NO CENTS (\$5,000,000.00) TO RECORD THE REFUND OF CERTAIN FUNDS FROM THE ATLANTA BELTLINE, INC. ("ABI") DUE TO PROJECT UNDERRUNS FOR THE CLEAR CREEK COMBINED SEWER BASIN RELIEF PROJECT, PER THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ATLANTA AND ABI; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 06-O-1575, adopted by the Full Council of the City of Atlanta ("City") and approved by the Mayor July 17, 2006, established the intent to expend Tax Allocation District funds for specific purposes, and approved the BeltLine Tax Allocation District Work Plan, which included the Clear Creek Combined Sewer Basin Relief Project ("Project"); and

WHEREAS, Ordinance 07-O-1530, adopted by the Full Council of the City on September 4, 2007 and approved by the Mayor on September 12, 2007, authorized the City to enter into an Intergovernmental Agreement ("Agreement") with ABI for the design and construction of the Project, and authorized the City to transfer \$30,000,000.00 to ABI for the costs incurred for the Project; and

WHEREAS, the Agreement provided that ABI refund the City, Department of Watershed Management ("DWM"), for any Project under-runs, being Project costs that are less than the authorized \$30,000,000.00 contributed to ABI for the Project, and, specifically refunded to the 2004 Water & Wastewater Bond Fund (Fund 5058); and

WHEREAS, DWM received an amount of \$5,000,000.00 from ABI, representing a significant project under-run, being the difference between the amount ABI contracted for to perform the Project work, according to the lowest responsible and responsive bidder, and the City contribution.

WHEREAS, DWM temporarily deposited said excess funds in the Water and Wastewater Revenue Fund (Fund 5051) and now desires to transfer said funds to the 2004 Water and Wastewater Bond Fund (Fund 5058) for the purpose of retaining said funds for any increases in Project expenses or other authorized projects; and

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

SECTION 1: That the Chief Financial Officer is authorized to amend the FY 2010 Water and Wastewater Revenue Fund (Fund 5051) and the 2004 Water and Wastewater Bond Fund (Fund 5058) as follows:

TO RECORD ANTICIPATION AND TRANSFER OF EXCESS FUNDS OF \$5,000,000.00 FROM THE WATER AND WASTEWATER REVENUE FUND (FUND 5051) TO THE 2004 WATER AND WASTEWATER BOND FUND (FUND 5058):

Anticipation of:

5051.000002.3890007.0000000.000000.00000.0000.00000000.00000000 \$5,000,000.00
Water and Wastewater Revenue Fund/Default – Revenue Department/
Recoveries/Default/Default/Default/Default/Default/Default

Transfer Appropriation of:

5051.170215.6110096.4333000.000000.00000.0000.00000000.00000000 \$5,000,000.00
Water and Wastewater Revenue Fund/DWM Wastewater Sewer Repair/
Operating Transfer Out to 5058/
New Sewer Services/Default/Default/Default/Default/Default

TO RECORD ANTICIPATION AND APPROPRIATION OF EXCESS FUNDS OF \$5,000,000.00 FROM THE WATER AND WASTEWATER REVENUE FUND (FUND 5051) IN THE 2004 WATER AND WASTEWATER BOND FUND (FUND 5058):

Transfer Anticipation of:

5058.000002.3912014.0000000.000000.00000.0000.00000000.00000000 \$5,000,000.00
2004 Water and Wastewater Bond Fund/Default – Revenue Department/
Operating Transfer from 5051/Default/Default/Default/Default/Default/Default

Appropriation to Reserve:

5058.170215.5999901.4333000.000000.00000.0000.00000000.00000000 \$5,000,000.00
2004 Water and Wastewater Bond Fund/DWM Wastewater Sewer Repair/
Reserve Conversion Account – Class 1/New Sewer Services/Default/
Default/Default/Default/Default

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

A true copy,

Phonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

MAY 17, 2010
MAY 25, 2010

RCS# 241
5/17/10
2:50 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-0743, 10-R-0839

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	NV Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	B Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		05-17-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0741	35.10-R-0903	57. 10-R-0828
2. 10-O-0742	36. 10-R-0868	58. 10-R-0829
3. 10-O-0744	37. 10-R-0869	59. 10-R-0830
4. 10-O-0745	38. 10-R-0871	60. 10-R-0831
5. 10-O-0746	39. 10-R-0872	61. 10-R-0832
6. 10-O-0747	40. 10-R-0873	62. 10-R-0833
7. 10-O-0748	41. 10-R-0809	63. 10-R-0834
8. 10-O-0796	42. 10-R-0810	64. 10-R-0835
9. 10-O-0798	43. 10-R-0811	65. 10-R-0836
10. 10-O-0889	44. 10-R-0812	66. 10-R-0837
11. 10-O-0893	45. 10-R-0814	67. 10-R-0838
12. 10-O-0627	46. 10-R-0815	68. 10-R-0840
13. 10-O-0330	47. 10-R-0816	69. 10-R-0841
14. 10-O-0331	48. 10-R-0819	70. 10-R-0842
15. 10-O-0632	49. 10-R-0820	71. 10-R-0843
16. 10-O-0633	50. 10-R-0821	72. 10-R-0844
17. 10-O-0730	51. 10-R-0822	73. 10-R-0845
18. 10-O-0731	52. 10-R-0823	74. 10-R-0846
19. 10-O-0732	53. 10-R-0824	75. 10-R-0847
20. 10-O-0733	54. 10-R-0825	76. 10-R-0848
21. 10-O-0735	55. 10-R-0826	77. 10-R-0849
22. 10-O-0779	56. 10-R-0827	78. 10-R-0850
23. 10-R-0882		79. 10-R-0851
24. 10-R-0883		80. 10-R-0852
25. 10-R-0884		81. 10-R-0853
26. 10-R-0885		82. 10-R-0854
27. 10-R-0887		83. 10-R-0856
28. 10-R-0638		84. 10-R-0857
29. 10-R-0639		85. 10-R-0858
30. 10-R-0818		
31. 10-R-0859		
32. 10-R-0860		
33. 10-R-0861		
34. 10-R-0862		