

A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND CUSTOMERS FOR OVERPAYMENTS TO WATER AND SEWER CHARGES IN THE AMOUNT OF THREE HUNDRED TWENTY-SEVEN THOUSAND, FOUR HUNDRED EIGHT DOLLARS AND NINETY-THREE CENTS (\$327,408.93); ALL AMOUNTS SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER & WASTEWATER REVENUE FUND) 000001 (BALANCE SHEET DEFAULT) 1226009 (REFUNDS PAYABLE); AND FOR OTHER PURPOSES

**Review List:**

Atlanta City Council	Completed	09/18/2013 9:52 AM
Finance/Executive Committee	Pending	

**HISTORY:**

09/16/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
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<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>
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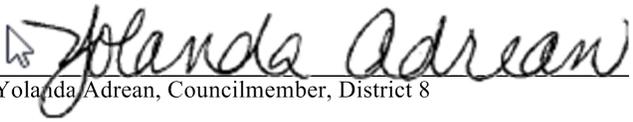
Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY - BLUE BACK

**CITY COUNCIL  
ATLANTA, GEORGIA**

13-R-3585

**SPONSOR SIGNATURES**

  
Yolanda Adrean, Councilmember, District 8

**A RESOLUTION  
BY COUNCILMEMBER(S) ADREAN**

**A RESOLUTION BY COUNCILMEMBER YOLANDA ADREAN AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND CUSTOMERS FOR OVERPAYMENTS TO WATER AND SEWER CHARGES IN THE AMOUNT OF THREE HUNDRED TWENTY-SEVEN THOUSAND, FOUR HUNDRED EIGHT DOLLARS AND NINETY-THREE CENTS (\$327,408.93); ALL AMOUNTS SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER & WASTEWATER REVENUE FUND) 000001 (BALANCE SHEET DEFAULT) 1226009 (REFUNDS PAYABLE); AND FOR OTHER PURPOSES**

WHEREAS, the Department of Watershed Management (“Department”) owns and operates a water and wastewater system; and

WHEREAS, the Department has identified the need to refund water and sewer charges to customers in connection with certain overcharges assessed to customers as a result of erroneously installed small meters; and

WHEREAS, the Department has completed a system-wide audit of all small water meters and identified specific meters that were improperly installed; and

WHEREAS, the Department reviewed all improperly installed small meters as identified through the Small Meter Audit and further identified a portion of accounts that were improperly assessed water and sewer charges as a result of the improper installations, which included categories of both under-billing customers for water and sewer service; and

WHEREAS, the portion of accounts that were overcharged for water and sewer service total an amount of Three Hundred Twenty Seven Thousand Four Hundred Eight Dollars and Ninety-Three Cents (\$327,408.93), including payment of certain statutory pre-judgment interest that affected customers may claim under Georgia law as a result of the improperly installed meters, as such accounts and amounts are more particularly described in Exhibit “A”; and

WHEREAS, pursuant to Section 2-916 of the City of Atlanta Code of Ordinances, refunds exceeding \$5,000.00 must be referred to the Finance and Executive Committee and City Council for final determination; and

WHEREAS, the Chief Financial Officer, through the Department of Finance, Office of Revenue has determined that the identified customers are entitled to a refund in the amount of Three Hundred Twenty-Seven Thousand, Four Hundred Eight Dollars and Ninety-Three Cents (\$327,408.93) including statutory pre-judgment interest, pursuant to Section 2-916 of the City of Atlanta Code of Ordinances.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that pursuant to Section 2-916 of the City of Atlanta Code of Ordinances, the Chief Financial Officer is hereby authorized to issue refunds to the affected account holders according to the accounts and amounts specified in Exhibit “A” for overpayments made for water and sewer services due to improperly installed meters in an amount of Three Hundred Twenty-Seven Thousand, Four Hundred Eight Dollars and Ninety-Three Cents (\$327,408.93) including statutory pre-judgment interest, which

final refund amounts shall be offset by any other water and sewer charges owed by the affected customers; and

BE IT FINALLY RESOLVED, that said refunds shall be charged to and paid from Fund Department Organization and Account Number ) 5051 (Water & Wastewater Revenue Fund) 000001 (Balance Sheet Default) 1226009 (Refunds Payable).

**A RESOLUTION  
BY COUNCILMEMBER YOLANDA ADREAN**

**A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND CUSTOMERS FOR OVERPAYMENTS TO WATER AND SEWER CHARGES IN THE AMOUNT OF THREE HUNDRED TWENTY-SEVEN THOUSAND, FOUR HUNDRED EIGHT DOLLARS AND NINETY-THREE CENTS (\$327,408.93); ALL AMOUNTS SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5051 (WATER & WASTEWATER REVENUE FUND) 000001 (BALANCE SHEET DEFAULT) 1226009 (REFUNDS PAYABLE); AND FOR OTHER PURPOSES.**

**WHEREAS**, the Department of Watershed Management (“Department”) owns and operates a water and wastewater system; and

**WHEREAS**, the Department has identified the need to refund water and sewer charges to customers in connection with certain overcharges assessed to customers as a result of erroneously installed small meters; and

**WHEREAS**, the Department has completed a system-wide audit of all small water meters and identified specific meters that were improperly installed; and

**WHEREAS**, the Department reviewed all improperly installed small meters as identified through the Small Meter Audit and further identified a portion of accounts that were improperly assessed water and sewer charges as a result of the improper installations, which included categories of both under-billing and over-billing customers for water and sewer service; and

**WHEREAS**, the portion of accounts that were overcharged for water and sewer service total an amount of Three Hundred Twenty Seven Thousand Four Hundred Eight Dollars And Ninety-Three Cents (\$327,408.93), including payment of certain statutory pre-judgment interest that affected customers may claim under Georgia law as a result of the improperly installed meters, as such accounts and amounts are more particularly described in Exhibit “A”; and

**WHEREAS**, pursuant to Section 2-916 of the City of Atlanta Code of Ordinances, refunds exceeding \$5,000.00 must be referred to the Finance and Executive Committee and City Council for final determination; and

**WHEREAS**, the Chief Financial Officer, through the Department of Finance, Office of Revenue has determined that the identified customers are entitled to a refund in the amount of Three Hundred Twenty-Seven Thousand, Four Hundred Eight Dollars and Ninety-Three Cents (\$327,408.93) including statutory pre-judgment interest, pursuant to Section 2-916 of the City of Atlanta Code of Ordinances.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that pursuant to Section 2-916 of the City of Atlanta Code of Ordinances, the Chief Financial Officer is hereby authorized to issue refunds to the affected account holders according to the accounts and amounts specified in Exhibit "A" for overpayments made for water and sewer services due to improperly installed meters in an amount of Three Hundred Twenty-Seven Thousand, Four Hundred Eight Dollars and Ninety-Three Cents (\$327,408.93) including statutory pre-judgment interest, which final refund amounts shall be offset by any other water and sewer charges owed by the affected customers; and

**BE IT FINALLY RESOLVED**, that said refunds shall be charged to and paid from Fund Department Organization and Account Number ) 5051 (Water & Wastewater Revenue Fund) 000001 (Balance Sheet Default) 1226009 (Refunds Payable).

## Exhibit "A"

Customer #	Total Due
12089300	\$7,527.14
16047300	\$41,572.69
16197302	\$5,784.21
18486301	\$5,091.58
18824300	\$10,772.29
20324301	\$5,275.86
21722301	\$6,628.01
23304301	\$6,498.58
24063302	\$7,862.29
26362301	\$6,917.80
29054300	\$5,409.64
30359301	\$5,059.91
33884301	\$6,117.69
39006300	\$6,775.53
41173302	\$5,383.45
41267303	\$7,456.06
69111302	\$5,232.60
71369302	\$5,940.75
71669302	\$13,837.41
75635300	\$6,409.30
76863300	\$6,465.92
78468300	\$6,948.54
78650302	\$8,476.74
79850303	\$5,289.12
86017301	\$7,639.62
91580300	\$27,088.52
92740300	\$6,486.74
93036300	\$9,768.89
94440300	\$6,806.88
96503300	\$5,608.62
104984300	\$19,641.76
137047301	\$23,169.63
164621301	\$5,905.51
175457301	\$5,881.49
22815300	\$5,422.26
181669301	\$5,255.90
<b>Total</b>	<b>\$327,408.93</b>

Notes:

Refund calculation: Over billing credits + Late fee credits + 7% interest - Delinquent balances owed (7/31/2013)