

AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE ADDING CORRECTED ATTACHMENTS TO ORDINANCE 13-O-0599 WHICH AMENDED THE INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING ESTABLISHING THE TERMS AND CONDITIONS FOR REPAYMENT OF THE OBLIGATION OWED BY THE GENERAL FUND TO THE WATERSHED MANAGEMENT ENTERPRISE FUND BETWEEN THE CITY OF ATLANTA'S DEPARTMENT OF FINANCE AND THE DEPARTMENT OF WATERSHED MANAGEMENT; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 13-O-0599 was adopted by the City Council on May 6, 2013 and approved without the Mayor's signature on May 5, 2013 and is attached hereto as Schedule A (the "Ordinance"); and

WHEREAS, the Ordinance authorized amendment number one to the Inter-Departmental Memorandum of Understanding between the City of Atlanta's ("City") Department of Finance and the Department of Watershed Management and decreased the interest rate on the General Fund repayment to the Watershed Enterprise Fund on from 3.00% per annum to 1.25% per annum; and

WHEREAS, the Ordinance did not have the correct exhibits attached, namely Exhibit B did not correctly state the repayment interest rate; and

WHEREAS, it is now necessary to correct the Ordinance by adding the correct attachments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Atlanta, as follows:

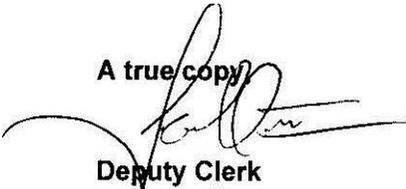
SECTION 1: That the original Inter-Departmental Memorandum of Understanding is hereby attached and incorporated into the Ordinance as Exhibit A.

SECTION 2: That amendment number one to the Inter-Departmental Memorandum of Understanding is hereby corrected, attached and incorporated into the Ordinance as Exhibit B showing a repayment interest rate of 1.25%.

SECTION 3: That Exhibit B includes Attachment A indicating the corrected repayment schedule.

SECTION 4: That all ordinances and parts of ordinances in conflict herewith are waived to the extent of the conflict only.

A true copy


Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

FEB 03, 2014
FEB 12, 2014

EXHIBIT A

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

A SUBSTITUTE ORDINANCE AUTHORIZING AMENDMENT NUMBER 1 TO THE INTER-DEPARTMENTAL MEMORANDUM OF UNDERSTANDING WHICH ESTABLISHED THE TERMS AND CONDITIONS FOR REPAYMENT OF THE OBLIGATION OWED BY THE GENERAL FUND TO THE WATERSHED MANAGEMENT ENTERPRISE FUND BETWEEN THE CITY OF ATLANTA'S DEPARTMENT OF FINANCE AND DEPARTMENT OF WATERSHED MANAGEMENT FOR THE PURPOSE OF DECREASING THE REPAYMENT INTEREST RATE FROM 3% PER ANNUM TO 1.25% PER ANNUM; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") Governmental Funds accumulated an obligation to the Watershed Management Enterprise Fund which was quantified on December 23, 2000, as One Hundred Sixteen Million One Hundred and Ninety Nine Thousand Dollars and No Cents (\$116,199,000.00); and

WHEREAS, the City's Department of Finance ("DOF") and Department of Watershed Management ("DWM") entered into an Inter-Departmental Memorandum of Understanding ("MOU") dated December 23, 2008, (attached hereto as Exhibit A) as authorized by Ordinance 09-O-0277 adopted by the Atlanta City Council on June 1, 2009, and approved by the Mayor on June 9, 2009, establishing a payment plan for repayment to the Watershed Management Enterprise Fund by the City's General Fund; and

WHEREAS, the MOU required the General Fund to repay the Watershed Management Enterprise Fund at the rate of Ten Million Dollars (\$10,000,000.) per year plus 3% interest per annum; and

WHEREAS, to date, certain General Fund financial expectations have not been met, making the 3% per annum interest rate a significant burden on the General Fund which justifies a reduction in the MOU interest rate; and

WHEREAS, it is in the best interest of the City to amend the MOU to decrease the interest rate from 3% per annum to 1.25% interest per annum.

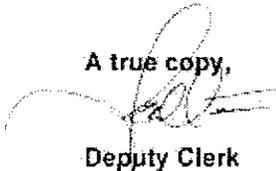
NOW THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Chief Financial Officer and the Commissioner of the Department of Watershed Management are hereby authorized to enter into Amendment Number 1 to the MOU, in substantially the same form as the document attached hereto as Exhibit B, decreasing the interest rate from 3% per annum to 1.25% per annum.



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

A true copy,



Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAY 06, 2013
MAY 15, 2013



**FIRST AMENDMENT ("AMENDMENT #1") OF THE CITY OF ATLANTA INTER-
DEPARTMENTAL
MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF FINANCE
AND THE DEPARTMENT OF WATERSHED MANAGEMENT**

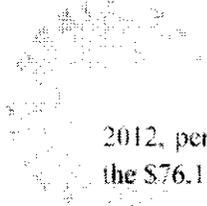
This First Amendment ("Amendment #1") of the Inter-Departmental Memorandum of Understanding (the "Memorandum") is entered into this _____ day of _____, 20_____ between the City of Atlanta Department of Finance ("DOF") and the City of Atlanta Department of Watershed Management ("DWM").

BACKGROUND:

The City of Atlanta (the "City") maintains a cash pool account into which funds from the City's General Fund and the Watershed Management Enterprise Fund (the "Watershed Fund") are deposited for permitted investment purposes. Over the course of time, the General Fund accumulated an obligation to the Watershed Fund in the aggregate amount of \$116,199,000. On December 23, 2008, DOF and DWM entered into an interdepartmental agreement whereby the principal amount was to be repaid at the rate of \$10,000,000 per year plus 3% interest per annum. Funds were to be transferred from the appropriate General Fund account(s) to the appropriate Watershed Fund account(s) until the total obligation, including accrued interest, is repaid.

This obligation was attributable to, among other reasons, subsidies that the General Fund made to cover long-standing systemic operational deficits in the City's Solid Waste Fund and the E911 Fund; to cover timing differences in the financing of the new Public Safety Headquarters; and to finance rolling stock acquisitions more appropriately financed through the Georgia Municipal Association. It was reasonable to expect the City to repay the aggregate amount as it corrected these three circumstances. Having made fundamental changes to the operations of the Solid Waste and E911 Funds and corrections to certain fund-related budgeting practices, the City reasonably expected these funds to generate cash flow to repay the accrued debts. Further, it was expected that the sale of City Hall East would cover any amounts attributable to the Public Safety Headquarters. Finally, the City continues to pursue long-term financing of recent rolling stock purchases through the Georgia Municipal Association. To date, certain expectations have not been met. As a result, the 3% interest rate is a significant obligation to the General Fund and necessitates this Amendment #1 to the original Memorandum.

Heretofore, the purpose of this Memorandum is to set forth the revised terms and conditions of repayment of the obligation, which has an outstanding balance of \$76,199,000 as of July 1,



2012, per the original repayment schedule. Attachment A contains the proposed repayment schedule for the \$76,199,000).

REPAYMENT SCHEDULE:

The Chief Financial Officer will cause the current outstanding principal amount of the final audited balance in Attachment "A" to be repaid at the rate of \$10,000,000 per year plus 1.02% interest per annum. Interest will begin to accrue upon execution of this Amendment #1. Funds will be transferred from the appropriate General Fund account(s) to the appropriate Watershed Fund account(s) until the total obligation, including accrued interest, is repaid.

These sums shall be paid on an annual basis by inter-departmental journal transfers. Transfer requests shall be prepared by DWM and submitted to the DOF for processing. Payments shall commence on July 1, 2013 and shall continue until the later of July 2, 2018 or until the obligation is fully repaid.



Approved By:

J. Anthony "Jim" Beard
Chief Financial Officer

JoAnn J. Macrina, Commissioner
Department of Watershed Management

Duriya Farooqui
Chief Operating Officer



ATTACHMENT A

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE DEPARTMENT OF FINANCE
AND
THE DEPARTMENT OF WATERSHED
MANAGEMENT**



Attachment A
MOU Between Department of Finance and Department of Watershed
(Rounded)

Interest per annum: 1.02%

	<u>Interest Payment</u>	<u>Principal Payment</u>	<u>Total Annual Payment (2) (3)</u>	<u>Outstanding Balance</u>
Total Amount Payable as of 7/1/2012 (1)				\$ 76,199,000
July 1, 2013	\$ 1,766,166	\$ 10,000,000	\$ 11,766,166	\$ 66,199,000
July 1, 2014	675,230	10,000,000	10,675,230	56,199,000
July 1, 2015	573,230	10,000,000	10,573,230	46,199,000
July 1, 2016	471,230	10,000,000	10,471,230	36,199,000
July 1, 2017	369,230	10,000,000	10,369,230	26,199,000
July 1, 2018	267,230	10,000,000	10,267,230	16,199,000
July 1, 2019	165,230	10,000,000	10,165,230	6,199,000
July 1, 2020	63,230	6,199,000	6,262,230	-

Legend

- (1) Beginning total amount payable as of June 30, 2008 was \$116,199,000
- (2) Payable annually by inter-departmental journal transfers commencing July 1, 2013
- (3) Payments shall continue until the later of July 2, 2018 or until the obligation is fully repaid

RCS# 2693
5/06/13
6:06 PM

Atlanta City Council

13-O-0599

MOU FOR THE REPAYMENT OF OBLIGATION OWED
BY THE GENERAL FUND TO WATERSHED
ADOPT ON SUB

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

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

13-O-0599

09-0-0277

(Do Not Write Above This Line)

AN ORDINANCE
BY FINANCE/EXECUTIVE
COMMITTEE

AN ORDINANCE TO RATIFY AND
AFFIRM THAT CERTAIN INTER-
DEPARTMENTAL MEMORANDUM
OF UNDERSTANDING BETWEEN
THE DEPARTMENT OF FINANCE
AND THE DEPARTMENT OF
WATERSHED MANAGEMENT OF
DATED DECEMBER 23, 2008,
ESTABLISHING THE TERMS AND
CONDITIONS FOR THE REPAYMENT
OF AN OBLIGATION OWED BY THE
GENERAL FUND TO THE
WATERSHED FUND TO THE
ENTERPRISE FUND MANAGEMENT
FOR OTHER PURPOSES.

SUBSTITUTE JUN 01 2009

COUNCIL

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

Date Referred 08/10/09
Referred To: Finance/Exec.
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee
Date
Chair
Referred To

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

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

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

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

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

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote FC Vote

CERTIFIED

JUN 01 2009

CERTIFIED
JUN 01 2009
Municipal Clerk

MAYOR'S ACTION

APPROVED
MAYOR

Exhibit A



CITY COUNCIL
ATLANTA, GEORGIA

09-O-0277

A SUBSTITUTE ORDINANCE

BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO RATIFY AND AFFIRM THAT CERTAIN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF FINANCE AND THE DEPARTMENT OF WATERSHED MANAGEMENT DATED DECEMBER 23, 2008, ESTABLISHING THE TERMS AND CONDITIONS FOR THE REPAYMENT OF AN OBLIGATION OWED BY THE GENERAL FUND TO THE WATERSHED MANGAGEMENT ENTERPRISE FUND; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") Governmental Funds have accumulated an obligation to the Watershed Management Enterprise Fund and which was quantified on December 23, 2000 as \$116, 199,000 for June 30, 2008, in order to issue Audited Financial Statements for the Department of Watershed Management; and

WHEREAS, the City seeks to establish a repayment plan to eliminate such deficits recognizing that amounts owed will fluctuate based on daily cash flows; and

WHEREAS, this obligation is attributable to subsidies made by the Governmental Funds to cover various City debts; and

WHEREAS, fundamental changes have been made to the operation of certain funds and fund related budgeting practices to ensure the repayment of the accrued debts; and

WHEREAS, the Department of Watershed Management and the Department of Finance have established a Memorandum of Understanding to set forth the terms and conditions for repayment of the obligation.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

SECTION 1: That the City Council hereby ratifies and affirms that certain Memorandum of Understanding dated December 23, 2008 (attached hereto), between the Department of Finance and the Department of Watershed Management, which establishes the terms and conditions for the repayment of cash deficits in the cash pool owed by the Governmental Funds to the Watershed Management Enterprise Fund.

SECTION 2: That this obligation shall be repaid at the rate of \$10,000,000 per year plus 3% annum from the General Fund.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Shirley Franklin

JUN 01, 2009
JUN 09, 2009



**CITY OF ATLANTA INTER-DEPARTMENTAL
MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF FINANCE
AND THE DEPARTMENT OF WATERSHED MANAGEMENT**

This Inter-Departmental Memorandum of Understanding ("Memorandum") is entered into this ~~23~~ day of December, 2008 between the City of Atlanta Department of Finance ("DOF") and the City of Atlanta Department of Watershed Management ("DWM").

BACKGROUND:

The City of Atlanta (the "City") maintains a cash pool account into which funds from the General Fund and the Watershed Management Enterprise Fund (the "Watershed Fund") are deposited for permitted investment purposes. Over the course of time, the General Fund has accumulated an obligation to the Watershed Fund in the aggregate amount of the final audited balance in Attachment "A".

This obligation is attributable to, among other reasons, subsidies that the General Fund has made to cover long-standing systemic operational deficits in the Solid Waste Fund and the E911 Fund; to cover timing differences in the financing of the new Public Safety Headquarters; and to finance rolling stock acquisitions more appropriately financed through the Georgia Municipal Association. It is reasonable to expect the City to repay the aggregate amount as it corrects these three circumstances. Having made fundamental changes to the operations of the Solid Waste and E911 Funds, and corrected certain fund-related budgeting practices, the City reasonably expects these funds to generate cash flow to repay the accrued debts. Further, it is expected that the sale of City Hall East will cover any amounts attributable to the Public Safety Headquarters. Finally, the City is pursuing long-term financing of recent rolling stock purchases through the Georgia Municipal Association.

The purpose of this Memorandum is to set forth the terms and conditions of repayment of the aggregate amount noted above.

REPAYMENT SCHEDULE:

The Chief Financial Officer will cause the principal amount of the final audited balance in Attachment "A" to be repaid at the rate of \$10,000,000 per year plus 3% interest per annum. Interest will begin to accrue upon execution of this Memorandum. Funds will be transferred from the appropriate General Fund account(s) to the appropriate Watershed Fund account(s) until the total obligation, including accrued interest, is repaid.

These sums shall be paid on an annual basis by inter-departmental journal transfers. Transfer requests shall be prepared by DWM and submitted to the DOF for processing. Payments shall commence on July 1, 2009 and shall continue until the later of July 2, 2018 or until the obligation is fully repaid.



Approved By:

James W. Glass
Chief Financial Officer

Robert J. Hunter, Commissioner
Department of Watershed Management

Gregory J. Gibrnelli
Chief Operating Officer



Attachment A
MOU Between Department of Finance and DWM

Interest per annum 3%

	<u>Interest Pmt</u>	<u>Principal Pmt</u>	<u>Total Annual Payment</u>	<u>Outstanding Balance</u>
Total Amount Payable as of 6/30/2008				\$ 116,199,000
July 1, 2009	\$ 3,485,970	\$ 10,000,000	\$ 13,485,970	\$ 106,199,000
July 1, 2010	3,185,970	10,000,000	13,185,970	\$ 96,199,000
July 1, 2011	2,885,970	10,000,000	12,885,970	\$ 86,199,000
July 1, 2012	2,585,970	10,000,000	12,585,970	\$ 76,199,000
July 1, 2013	2,285,970	10,000,000	12,285,970	\$ 66,199,000
July 1, 2014	1,985,970	10,000,000	11,985,970	\$ 56,199,000
July 1, 2015	1,685,970	10,000,000	11,685,970	\$ 46,199,000
July 1, 2016	1,385,970	10,000,000	11,385,970	\$ 36,199,000
July 1, 2017	1,085,970	10,000,000	11,085,970	\$ 26,199,000
July 1, 2018	785,970	10,000,000	10,785,970	\$ 16,199,000
July 1, 2019	485,970	10,000,000	10,485,970	\$ 6,199,000
July 1, 2020	185,970	6,199,000	6,384,970	\$ -

Payable annually by inter-departmental journal transfers commencing on July 1, 2009.
Payments shall continue until the later of July 2, 2018 or until the obligation is fully repaid.



City of Atlanta
Department of Watershed Management

APPENDIX E

Inter-Departmental Billing - Amortization Schedule for Amounts Owed by the General Fund

GENERAL FUND		A		B		C		Account Balance	
AS OF JUNE 30, 2008		Water & Sewer Utility (6454)		Other Departments Due DWM		Net Settlement Amount			
General Fund Water and Sewer Billings									
	Cultural Affairs		\$1,399						
	Bureau of Planning		\$1,166,385						
	Police Services		\$167,330						
	Fire Services		\$1,346,598						
	Highway and Streets		\$411,239						
	Detention Center		\$2,169,141						
	General Services		\$1,445,268						
	Traffic Court		\$230,038						
	Total Water & Sewer		\$7,931,899						
General Fund - Other Amounts Owed									
	Grady Hospital (as of June 30, 2006)				\$5,185,330				
	Indirect Cost - Department of Public Works				\$4,783,474				
	Indirect Cost - Treasury				\$3,123,468				
	Storm Water Projects				\$468,000				
	311 Call Center				\$1,900,000				
	Total Other Amounts				\$15,471,210				
	Total Net Payment Due DWM = (Column B + C)								\$23,353,109
Interest Accrual Commencement Date									
							7/1/2008		
General Fund Payments									
Invoice No.	Payment Date	General Fund Pymt	Franchise Fee	PIOT	DWM Payment	Excess	Interest Rate	Interest Amount	Account Balance
FY 2009	6/30/2009	\$0	\$8,531,261	\$2,403,646	\$9,800,000	\$1,134,907	3.00%	\$698,647	\$22,916,849
FY 2010	7/1/2010	\$4,000,000	\$8,616,574	\$2,468,986	\$9,800,000	\$1,285,560	3.00%	\$689,415	\$18,320,704
FY 2011	7/1/2011	\$4,000,000	\$8,702,739	\$2,490,189	\$9,800,000	\$1,396,978	3.00%	\$595,621	\$13,373,397
FY 2012	7/1/2012	\$4,000,000	\$8,789,767	\$2,494,185	\$9,800,000	\$1,483,956	3.00%	\$404,202	\$8,393,843
FY 2013	7/1/2013	\$4,000,000	\$8,877,864	\$2,498,189	\$9,800,000	\$1,571,853	3.00%	\$251,809	\$3,073,599
FY 2014	7/1/2014	\$3,073,599							\$0

Franchise Fee Calculated using proposed recovery per the Rate Study through FY 2014. The amount has been based on projected increase in billing and other amounts due to DWM.

RCS# 3010
6/01/09
3:22 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 09-R-0946,09-R-0934

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

CONSENT I

		6-01-09
ITEMS ADOPTED ON CONSENT		
<ol style="list-style-type: none"> 1. 09-O-0848 2. 09-O-0849 3. 09-O-0998 4. 09-O-0902 5. 09-O-0277 6. 09-O-0278 7. 09-O-0910 8. 09-O-0912 9. 09-O-0913 10. 09-R-0668 11. 09-R-0938 12. 09-R-0939 13. 09-R-0940 14. 09-R-0941 19. 09-R-0942 20. 09-R-1000 21. 09-R-0681 22. 09-R-0999 23. 07-R-0977 24. 09-R-0978 25. 09-R-0979 26. 09-R-0980 27. 09-R-0981 28. 09-R-0982 29. 09-R-0983 30. 09-R-1002 31. 09-R-1004 32. 09-R-0785 33. 09-O-0836 34. 09-R-0838 35. 09-R-0850 36. 09-R-0856 37. 09-R-0857 38. 09-R-0858 39. 09-R-0859 40. 09-R-0860 		

EXHIBIT B





**FIRST AMENDMENT (“AMENDMENT #1”) OF THE CITY OF ATLANTA INTER-
DEPARTMENTAL
MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF FINANCE
AND THE DEPARTMENT OF WATERSHED MANAGEMENT**

This First Amendment (“Amendment #1”) of the Inter-Departmental Memorandum of Understanding (the “Memorandum”) is entered into this _____ day of _____, 20____ between the City of Atlanta Department of Finance (“DOF”) and the City of Atlanta Department of Watershed Management (“DWM”).

BACKGROUND:

The City of Atlanta (the “City”) maintains a cash pool account into which funds from the City’s General Fund and the Watershed Management Enterprise Fund (the “Watershed Fund”) are deposited for permitted investment purposes. Over the course of time, the General Fund accumulated an obligation to the Watershed Fund in the aggregate amount of \$116,199,000. On December 23, 2008, DOF and DWM entered into an interdepartmental agreement whereby the principal amount was to be repaid at the rate of \$10,000,000 per year plus 3% interest per annum. Funds were to be transferred from the appropriate General Fund account(s) to the appropriate Watershed Fund account(s) until the total obligation, including accrued interest, is repaid.

This obligation was attributable to, among other reasons, subsidies that the General Fund made to cover long-standing systemic operational deficits in the City’s Solid Waste Fund and the E911 Fund; to cover timing differences in the financing of the new Public Safety Headquarters; and to finance rolling stock acquisitions more appropriately financed through the Georgia Municipal Association. It was reasonable to expect the City to repay the aggregate amount as it corrected these three circumstances. Having made fundamental changes to the operations of the Solid Waste and E911 Funds and corrections to certain fund-related budgeting practices, the City reasonably expected these funds to generate cash flow to repay the accrued debts. Further, it was expected that the sale of City Hall East would cover any amounts attributable to the Public Safety Headquarters. Finally, the City continues to pursue long-term financing of recent rolling stock purchases through the Georgia Municipal Association. To date, certain expectations have not been met. As a result, the 3% interest rate is a significant obligation to the General Fund and necessitates this Amendment #1 to the original Memorandum.

Heretofore, the purpose of this Memorandum is to set forth the revised terms and conditions of repayment of the obligation, which has an outstanding balance of \$76,199,000 as of July 1,

Exhibit B

2012, per the original repayment schedule. Attachment A contains the proposed repayment schedule for the \$76,199,000).

REPAYMENT SCHEDULE:

The Chief Financial Officer will cause the current outstanding principal amount of the final audited balance in Attachment "A" to be repaid at the rate of \$10,000,000 per year plus 1.25% interest per annum. Interest will begin to accrue upon execution of this Amendment #1. Funds will be transferred from the appropriate General Fund account(s) to the appropriate Watershed Fund account(s) until the total obligation, including accrued interest, is repaid.

These sums shall be paid on an annual basis by inter-departmental journal transfers. Transfer requests shall be prepared by DWM and submitted to the DOF for processing. Payments shall commence on July 1, 2013 and shall continue until the later of July 2, 2018 or until the obligation is fully repaid.

Approved By:

J. Anthony "Jim" Beard
Chief Financial Officer

JoAnn J. Macrina, Commissioner
Department of Watershed Management

Duriya Farooqui
Chief Operating Officer

Attachment A
MOU Between Department of Finance and the Department of Watershed
(Rounded)

Interest per annum: 1.25%

	<u>Interest Payment</u>	<u>Principal Payment</u>	<u>Total Annual Payment (2) (3)</u>	<u>Outstanding Balance</u>
Total Amount Payable as of 6/30/2013 (1)				\$ 76,199,000
July 1, 2013	\$952,488	\$10,000,000	\$10,952,488	\$66,199,000
July 1, 2014	\$827,488	\$10,000,000	\$10,827,488	\$56,199,000
July 1, 2015	\$702,488	\$10,000,000	\$10,702,488	\$46,199,000
July 1, 2016	\$577,488	\$10,000,000	\$10,577,488	\$36,199,000
July 1, 2017	\$452,488	\$10,000,000	\$10,452,488	\$26,199,000
July 1, 2018	\$327,488	\$10,000,000	\$10,327,488	\$16,199,000
July 1, 2019	\$202,488	\$10,000,000	\$10,202,488	\$6,199,000
July 1, 2020	\$77,488	\$6,199,000	\$6,276,488	\$0

Legend

- (1) Beginning total amount payable as of June 30, 2008 was \$116,199,000
- (2) Payable annually by Inter-departmental journal transfers commencing July 1, 2013
- (3) Payments shall continue until the later of July 2, 2018 or until the obligation is fully repaid

RCS# 83
2/03/14
6:04 PM

Atlanta City Council

MULTIPLE

14-O-1056/1057/1062/1063/1065/1067
14-O-1071 AND 14-R-3101
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

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

MULTIPLE