

AN ORDINANCE TO AMEND THE LAVISTA PARK SPECIAL TAX DISTRICT FUND BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020 FOR THE CITY OF BROOKHAVEN PURSUANT TO ARTICLE V OF THE CITY OF BROOKHAVEN CHARTER, APPROPRIATING AN INCREASE OF \$100,000 FOR EXPENDITURES NEEDED FOR INFRASTRUCTURE ACCORDING TO THE CITY OF BROOKHAVEN ANNEXATION POLICY, RECOGNIZING INCREASE IN AD VALOREM REVENUE IN THE AMOUNT OF \$100,000 BASED ON FY 2020 TAX DIGEST, ALLOWING FOR THE GENERAL FUND TO PROVIDE AN ADVANCE TO THE LAVISTA PARK SPECIAL TAX DISTRICT FUND UNTIL SUCH TIME THAT TAX REVENUES ARE RECEIVED, ALLOWING THE FINANCE DEPARTMENT TO MAKE TECHNICAL CHANGES AS NECESSARY, AND PROHIBITING EXPENDITURES FROM EXCEEDING ACTUAL FUNDING SOURCES, AND FOR OTHER PURPOSES

WHEREAS, the Official Code of Georgia Annotated, Chapter 36, Section 81, Subsection 3, requires that each local government adopt a balanced budget for all required funds; and

WHEREAS, the Official Code of Georgia Annotated, Chapter 36, Section 81, Subsection 3, Paragraph (d) allows a local government to amend its budget to adapt to changing governmental needs during the budget period; and

WHEREAS, the City Council adopted resolution 2019-09-05 on September 24, 2019 to establish an, "Annexation Policy"; and

WHEREAS, on March 10, 2020 the City Council approved ORD 2020-03-04 providing for the initial budget creation of the LaVista Park Special Tax District Fund in the amount of \$300,000; and

WHEREAS, on June 23, 2020 the City Council approved the setting of millage rate for the LaVista Park Special Tax District; and

WHEREAS, the FY 2020 Tax Digest projects net taxes levied for the LaVista Special Tax District in the amount of \$417,931; and

WHEREAS, the city of Brookhaven anticipates a collection rate for the LaVista Park Special Tax District ranging between 95 and 96%; and

WHEREAS, based on the information above the City of Brookhaven has determined that the actual collection for FY 2020 of tax revenue for the LaVista Park Special Tax District Fund is projected to be \$400,000; and

WHEREAS, City staff are being tasked with identification of needed infrastructure and capital improvements to the newly annexed area according to the policy; and

WHEREAS, the public works department' is incurring expenditures on behalf of the newly annexed area and require budget appropriation to complete the tasks; and

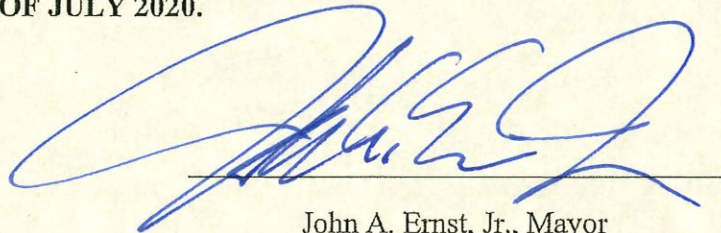
ORD 2020-07-05

WHEREAS, the City of Brookhaven maintains balanced budgets, such that anticipated funding sources equal or exceed the proposed expenditures.

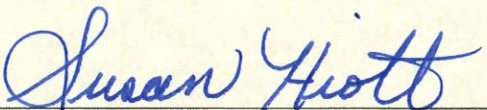
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BROOKHAVEN HEREBY ORDAINS, AS FOLLOWS:

1. The budget increase in appropriation for FY 2020 of the LaVista Park Special District Fund in the amount of \$100,000 is hereby approved.
2. The City Council authorizes the City Manager or his designee to take any action necessary to complete this ordinance.
3. Should any section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolution as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SO, ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKHAVEN, THIS 28th DAY OF JULY 2020.



John A. Ernst, Jr., Mayor

Attest: 
Susan Hiott, City Clerk

{City Seal}



Approved as to form:



Christopher D. Balch, City Attorney