

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF BROOKHAVEN
BA202005**

ORD-2020-01-07

AN ORDINANCE TO AMEND THE STORMWATER 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 AMOUNT NOT TO EXCEED \$182,000.00 FROM THE STORMWATER FUND UNRESTRICTED NET POSITION FOR THE PURCHASE OF CONSTRUCTION SERVICES RELATED TO THE MURPHEY CANDLER SHORELINE RESTORATION PROJECT; ALLOWING THE FINANCE DEPARTMENT TO MAKE TECHNICAL CHANGES AS NECESSARY, AND PROHIBITING EXPENSES 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 has limited available resources from unrestricted net position to provide for the efficient progress of projects; and

WHEREAS, the Nancy Creek Watershed Improvement Plan (WIP) was adopted by the Council in the Summer of 2016 and designates portions of Nancy Creek Shoreline as either poor or threatened; and

WHEREAS, the Council adopted Watershed Improvement Plan recommends implementation of several water quality improvement projects and identifies Murphey Candler Lakeshore Restoration Project (NC4-005) will significantly improve the water quality of Murphey Candler Lake; and

WHEREAS, based on the ability and previous lakeshore restoration work at Murphey Candler Lake performed by Integrated Construction and Nobility, Inc in 2016, the City seeks to execute a contract with Integrated Construction and Nobility, Inc. to restore the threatened portion of shore line and install 963 LF of shoreline wall to improve the water quality of Murphey Candler Lake; and

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

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

1. The amendment of the budget of the City of Brookhaven for the appropriation of FY 2020, unrestricted net position and Stormwater fund expenses is hereby approved.

2. The City Council authorizes the City Manager to approve the contract with Integrated Construction and Nobility, Inc to an amount not to exceed \$182,000 for Lakeshore seawall construction work associated with the Murphey Candler Shoreline Restoration project.
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.

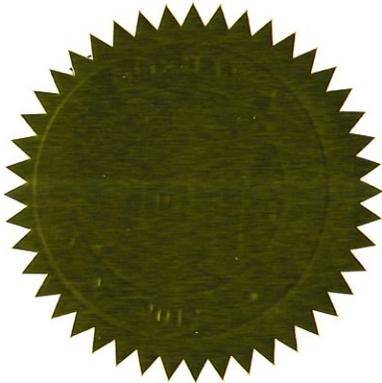
SO ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKHAVEN, THIS 28th DAY OF JANUARY, 2020.



John A. Ernst, Jr., Mayor



Attest: Susan Hiott, City Clerk



Approved as to form:



Laurel Henderson, Attorney