

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF BROOKHAVEN
BA2020007**

ORD-2020-03-02

AN ORDINANCE TO AMEND THE CIP 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 \$200,000 FROM THE CIP FUND CONTRIBUTIONS FROM PRIVATE SOURCES TO THE CIP FUND EXPENDITURES FOR THE COMPLETION OF THE NORTHEAST EXPRESSWAY MULTIUSE PATH PROJECT, 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 of Brookhaven adopted the Bicycle Pedestrian and Trail Plan in April 2016, and construction of a multiuse path along I-85 frontage road (north) as one of the recommended projects (163-LT) in the adopted study; and

WHEREAS, the Community Investment Agreement signed by City of Brookhaven and Children's Healthcare of Atlanta, Inc. (CHOA) requires contribution of \$200,000 by CHOA towards construction of sidewalks along access road north of I-85 from the I-85 underpass to corporate Boulevard; and

WHEREAS, the City received contribution of \$200,000 from CHOA to provide the resources for the Northeast Expressway Multiuse Path project; and

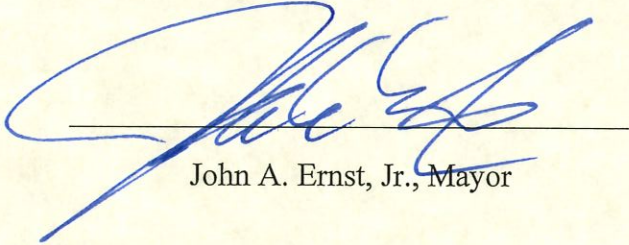
WHEREAS, the City of Brookhaven maintains balanced budgets, such that anticipated funding sources equal or exceed the proposed expenditures.

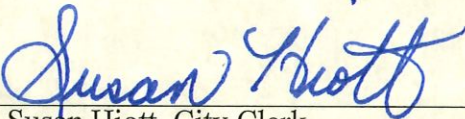
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BROOKHAVEN HEREBY ORDAINS, AS FOLLOWS:

1. The amendment of the FY 2020 budget of the City of Brookhaven in the amount of \$200,000 for the appropriation of the CIP fund contributions from private sources and CIP fund expenditures is hereby approved.
2. The City Council authorizes the City Manager or his designee to take any action necessary to complete this ordinance.

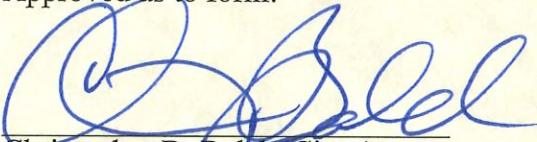
- 3. Should any section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolution as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SO, ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKHAVEN, THIS 10th DAY OF March 2020.


John A. Ernst, Jr., Mayor

Attest: 
Susan Hiott, City Clerk



Approved as to form:

Christopher D. Balch, City Attorney