

**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 \$345,000 FROM THE STORMWATER FUND RESERVES FOR THE PURCHASE OF PROPERTY LOCATED ON 2345 EWING DRIVE, 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 has an opportunity to acquire real property located on 2345 Ewing Drive that will be an additional asset in the flood plain allowing for better control over stormwater activity; and

**WHEREAS**, a loan from the General Fund to the Stormwater Fund might be needed based on actual activity in the Stormwater Fund and such need will be determined at a later date; and

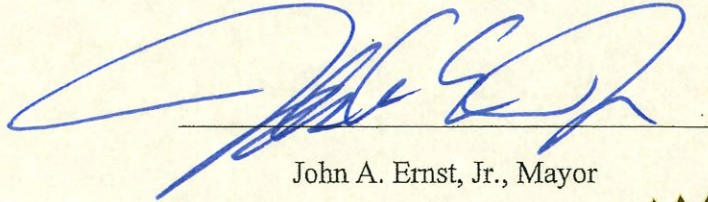
**WHEREAS**, the City of Brookhaven maintains balanced budgets, such that anticipated funding sources equal or exceed the proposed expenditures.

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

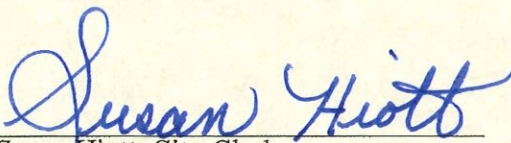
1. The amendment of the FY 2020 budget of the City of Brookhaven for appropriation of unrestricted net position and expenses in the Stormwater Fund in the amount of \$345,000 is hereby approved.
2. If determined at a later date that a loan is needed from the General Fund to the Stormwater fund based on actual activity in the Stormwater fund in order to be able to finalize the acquisition of the property located at 2345 Ewing Drive, such loan is hereby approved.
3. The City Council authorizes the City Manager or his designee to take any action necessary to complete this ordinance.
4. 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.

ORD 2020-07-02

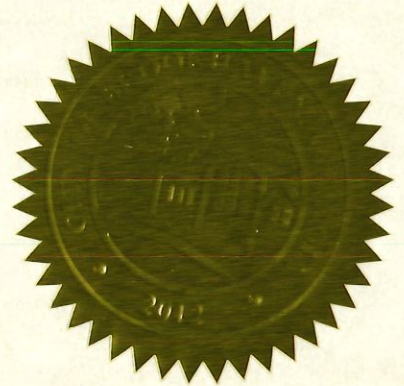
SO, ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
BROOKHAVEN, THIS 28<sup>th</sup> DAY OF JULY 2020.



John A. Ernst, Jr., Mayor

Attest:   
Susan Hiott, City Clerk

{City Seal}



Approved as to form:



Christopher D. Balch, City Attorney