

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF BROOKHAVEN
BA2021009

ORD-2021-04-02

AN ORDINANCE TO ESTABLISH A NEW PROJECT AND AMEND THE GENERAL FUND AND LAVISTA PARK SPECIAL TAX DISTRICT FUND BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021 FOR THE CITY OF BROOKHAVEN PURSUANT TO ARTICLE V OF THE CITY OF BROOKHAVEN CHARTER, APPROPRIATING A LOAN OF \$1,215,123.76 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO THE LAVISTA PARK SPECIAL TAX DISTRICT FUND FOR THE 2021 LAVISTA PARK CAPITAL PAVING 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 has solicited competitive bids from qualified paving contractors for the paving of nine streets in length of 5.04 lane miles at the LaVista Park Special Tax District; and

WHEREAS, the cost of the 2021 capital paving project at the LaVista Park Special Tax District including construction inspection and testing and five percent contingency is estimated to be \$1,345,037.83; and

WHEREAS, fund balance reserve in the amount of \$129,914.07 is available in the LaVista Park Special Tax District fund to be applied toward the 2021 LaVista Park capital paving project; and

WHEREAS, the City Council wishes to appropriate \$1,215,123.76 as a loan from the General Fund to the LaVista Park Special Tax District Fund; and

WHEREAS, the LaVista Park Special Tax District Fund shall repay the loan from the General Fund by making three annual installments of \$400,000.00 per year each December starting on December 2021 and a final installment of \$15,123.76 on or before December 2024; and

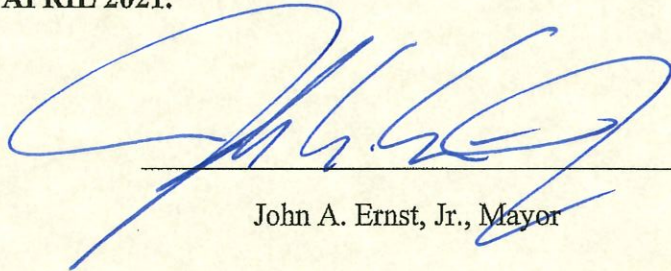
WHEREAS, the City of Brookhaven maintains balanced budgets, such that anticipated funding sources equal or exceed the proposed expenditures.

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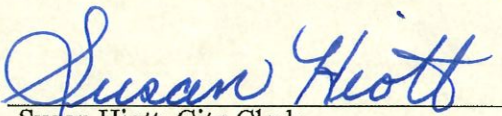
**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BROOKHAVEN
HEREBY ORDAINS, AS FOLLOWS:**

1. The amendment of the budget of the City of Brookhaven as described above and the establishment of the 2021 LaVista Park Special Tax District Capital Paving project 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.

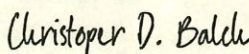
**SO, ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
BROOKHAVEN, THIS 13th DAY OF APRIL 2021.**



John A. Ernst, Jr., Mayor

Attest: 
Susan Hiott, City Clerk

Approved as to form:

DocuSigned by:

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Christopher D. Balch, City Attorney

