

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF BROOKHAVEN
BA2021017**

ORD-2021-05-07

AN ORDINANCE TO AMEND THE GENERAL FUND AND STORMWATER 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 \$575,000 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO THE STORMWATER FUND FOR EMERGENCY DRAINAGE SYSTEM AND SINKHOLE REPAIRS AT W. NANCY CREEK 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, a 48" corrugated metal drainage pipe (CMP) running between the side of 1177 W Nancy Creek Dr. and the driveway of 1167 W Nancy Creek Dr. experienced a catastrophic failure, which ended the service life of this section of pipe; and

WHEREAS, the City of Brookhaven has determined the need for emergency drainage system and sinkhole repairs to address the events described above; and

WHEREAS, the City Council wishes to appropriate \$575,000 as a loan from the General Fund to the Stormwater Fund for the completion of the necessary emergency repairs; and

WHEREAS, the Stormwater Fund shall repay the loan from the General Fund by making ten annual installments of \$57,500 per year each December starting on December 2021; and

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

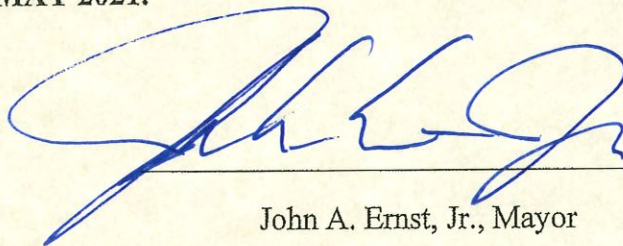
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BROOKHAVEN HEREBY ORDAINS, AS FOLLOWS:

1. The amendment of the budget of the City of Brookhaven as described above is hereby approved.
2. The City Council authorizes the City Manager or his designee to take any action necessary to complete this ordinance.

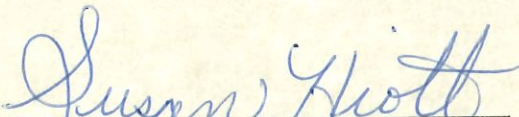
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3. Should any section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolution as a whole or any part thereof which is not specifically declared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

SO, ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKHAVEN, THIS 25th DAY OF MAY 2021.



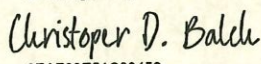
John A. Ernst, Jr., Mayor

Attest: 
Susan Hiott, City Clerk

{City Seal}



Approved as to form:

DocuSigned by:


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Christopher D. Balch, City Attorney