

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF BROOKHAVEN
BA2021022**

ORD-2021-08-03

AN ORDINANCE TO AMEND THE FY2020 PAVING CAPITAL PROJECT'S BUDGET AND FY18 ASHFORD DUNWOODY/PEACHTREE INTERSECTION PROJECT'S 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 \$89,936.52 FROM THE FY2021 PAVING CAPITAL PROJECT TO THE FY18 ASHFORD DUNWOODY /PEACHTREE INTERSECTION PROJECTS FOR THE RELOCATION OF POWER POLES AT THE FORD DUNWOODY/PEACHTREE INTERSECTION (MT-01) PROJECT AND THE LIGHTING SERVICE AGREEMENT WITH GA POWER ; 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 Mayor and City Council are considering authorization for the lighting service agreement with Georgia Power, re-authorize the City Manager to execute the agreement and allocate funds to make the pre-payment of \$86,450 and enter into an agreement with Georgia Power for the relocation of power poles at the intersection of Ashford Dunwoody and Peachtree Road for Project MT-01 in the amount of \$56,844; and

WHEREAS, the City Council wishes to allocate \$89,936.52 from the FY2021 Paving Capital Project to the FY18 Ashford Dunwoody /Peachtree Intersection project to address the additional project funding requirements; and

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

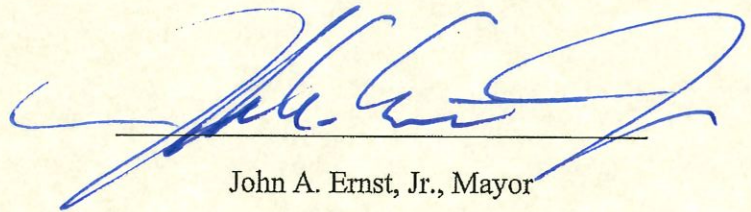
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BROOKHAVEN HEREBY ORDAINS, AS FOLLOWS:

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.

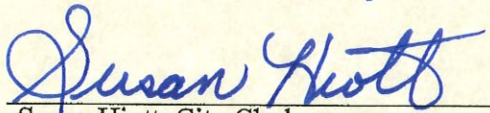
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3. Should any section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolution as a whole or any part thereof which is not specifically declared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

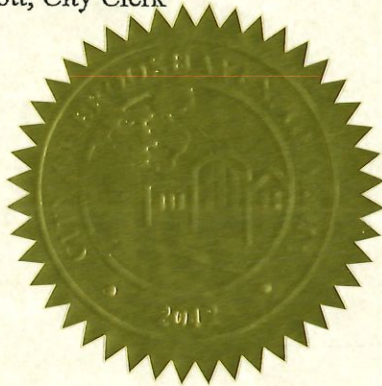
SO, ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKHAVEN, THIS 24th DAY OF AUGUST 2021.



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