ADMINISTRATION

ORDINANCE NO. 15320

FILE OF CITY COUNCIL

BILL NO. 59 - 2016

OCTOBER 5, 2016

AN ORDINANCE

Amending the 2016 Capital Fund Budget to provide for a supplemental appropriation in the amount of Two Million One Hundred Ninety Six Thousand Four Hundred Fifty Two Dollars and Ninety Three Cents $2,196,452.93 as a result of the Administrative Order Bond.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes an increase to the unappropriated balance of the 2016 Capital Fund in the amount of Two Million One Hundred Ninety Six Thousand Four Hundred Fifty Two Dollars and Ninety Three Cents $2,196,452.93 reflecting receipt of monies from the Administrative Order Bond.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the Capital Fund as follows:

Administrative Order:

001-03-1914-1640-46 Contract/Service Fees $2,196,452.93

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

AMENDMENT TO WAIVE 14 DAY WAITING PERIOD PASSED, 7 – 0

	Yea	Nay
Candida Affa	X	
Julio A. Guridy	X	
Daryl Hendricks, VP	X	
Roger MacLean	X	
David K. McGuire	X	
Cynthia Y. Mota	X	
Ray O'Connell, Pres.	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on October 5, 2016 and signed by the Mayor on October 7, 2016.

Michael P Nally

CITY CLERK

LEGISLATIVE TEMPLATE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

  Department of Public Works

- **Summary and Facts of the Bill**

  Appropriate $2,196,452.93 from the Administrative Order Bond (reference ordinance 15299, Bill 35) to the appropriate expenditure accounts in the Capital Fund allowing the City to comply with the EPA Administrative Order (AO).

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

  This bill will allow the City to comply with the EPA AO by appropriating the funds from the Administrative Order Bond issued by the City to finance costs associated with Administrative Order Projects, which, as defined in the Concession Agreement between the City and LCA, are understood to include projects that the City has designed to remediate the violations cited in the U.S. Environmental Protection Agency's Administrative Orders. These expenses include the Manhole Rehabilitation projects, professional, engineering, and legal services.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

  Lehigh County Authority, is responsible for billing and collecting all amounts owed by municipal customers, as well as retail customers, and remitting funds collected from the Administrative Order Fee to the City to be used as payment toward the annual principal and interest payments associated with the Administrative Order Bonds.

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

  AO Fund Bond as approved under ordinance 15299

- **Priority status/Deadlines, if any**

The City has expenses which need to be drawn from the Administrative Order Bond.

- **Why should Council unanimously support this bill?**

  City Council has approved the bond through ordinance 15299, the funding is required by the Concession Lease Agreement and the AO Fund Escrow Agreement.