

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

**RESOLUTION TO RATIFY AND APPROVE THE ACTIONS OF THE CITY
MANAGER TO MEET THE SCHOOL SUMMER BREAK SCHEDULE TO COMPLETE
THE ASHFORD PARK ELEMENTARY SCHOOL SIDEWALK**

WHEREAS, the Charter designates the City Manager as the Chief Administrative Officer of the City, Charter § 3.03,

WHEREAS, the Charter authorizes and empowers the City to deal with City events and issues as they arise, Charter § 1.03(b) (7), and

WHEREAS, the City Council of the City of Brookhaven approved an intergovernmental agreement between DeKalb County School Board and City of Brookhaven on May 23, 2017 to construct sidewalk and associated parking along Pamela Drive at Ashford Park Elementary School, and

WHEREAS, the DeKalb County School Board approved the same intergovernmental agreement on June 13, 2017, and

WHEREAS, the Council had previously authorized a contract with an on-call service provider up to \$100,000 for repairs and response as deemed necessary by either the City Manager or the Public Works Director, and

WHEREAS, the Council, by Ordinance, had authorized \$50,000 in contract authority to the City Manager, and

WHEREAS, the estimated cost of the sidewalk construction is \$174,000, which will be equally shared by the City of Brookhaven and DeKalb County School Board; but the City's share of the construction still exceeds the authority of the City Manager as established by ordinance, and

WHEREAS, the City of Brookhaven and the DeKalb County School District would like to substantially complete the construction of sidewalk at Ashford Elementary School before the Fall 2017 School session starts, and that the authority vested in the City Manager under the Charter authorized such action pending ratification and review by Council.

NOW THEREFORE, the Mayor and City Council at a regularly scheduled and open meeting do hereby RESOLVE and conclude as follows:

1. The information and recitation contained above are adopted as factual findings of the Council.

2. Because of the challenges created by the City Council's meeting schedule over the Summer months, the contract for the repairs, additions, and modifications to the sidewalks near and surrounding Ashford Park Elementary School could not be presented to Council prior to the need to begin construction in order to complete the work before the start of the school year.
3. The actions of the City Manager to authorize the work to meet the school break schedule are ratified and made the action of the Council.
4. The Contract for repair, replace, enhance and construct sidewalks in, near and around Ashford Park Elementary School is authorized and the City Manager and/or the Mayor is authorized to sign a final document in accordance with this Resolution.

SO RESOLVED, this 25th Day of July, 2017.

John Arthur Ernst, Jr.
Mayor

Attest:

Approved as to form:

Susan Hiott
City Clerk

Christopher D. Balch
City Attorney