City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

Legislation Details (With Text)

File #:	060377	**Version:**	0	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	5/11/2006			**In control:**	Committee on Finance
On agenda:				**Final action:**	6/15/2006

Title: Further amending Bill No. 050792, entitled "An Ordinance approving the Fiscal Year 2006 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2007 through 2011", as previously amended by Bill No. 060011, by approving a further revised Capital Budget for Fiscal Year 2006.

Sponsors: Councilmember Tasco

Indexes: PHILADELPHIA GAS WORKS

Code sections:

Attachments: 1. Exhibit #1-B to Bill 060377 (06kb 2nd rev compl budget).pdf, 2. Exhibit #1-B to Bill 060377 (06kb 2nd rev compl budget).pdf, 3. CertifiedCopy06037700.pdf

Date	Ver.	Action By	Action	Result	Tally
9/14/2006	0	MAYOR	SIGNED		
6/15/2006	0	CITY COUNCIL	READ		
6/15/2006	0	CITY COUNCIL	PASSED	Pass	15:0
6/8/2006	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/8/2006	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/8/2006	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
6/6/2006	0	Committee on Finance	HEARING HELD		
6/6/2006	0	Committee on Finance	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
6/5/2006	0	Committee on Finance	HEARING NOTICES SENT		
6/5/2006	0	Committee on Finance	RECESSED		
5/24/2006	0	Committee on Finance	HEARING NOTICES SENT		
5/11/2006	0	CITY COUNCIL	Referred		
5/11/2006	0	CITY COUNCIL	Introduced	Pass	

Further amending Bill No. 050792, entitled “An Ordinance approving the Fiscal Year 2006 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2007 through 2011”, as previously amended by Bill No. 060011, by approving a further revised Capital Budget for Fiscal Year 2006.

WHEREAS, Section IV(2)(b) of the Agreement Between The City Of Philadelphia And The

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Philadelphia Facilities Management Corporation For The Management And Operation Of The Philadelphia Gas Works ("Management Agreement") requires the Philadelphia Facilities Management Corporation ("PFMC") to prepare annually for the Philadelphia Gas Works ("PGW") a proposed capital budget for the ensuing year and a forecast for the six (6) years comprising the ensuing budget year and the five (5) years next following; and

WHEREAS, Section IV(2)(b) of the Management Agreement also requires that the proposed capital budget and forecast be submitted to the Director of Finance and the Gas Commission for their review and for submission of said budget and forecast, together with their recommendations thereon, to City Council for its approval; and

WHEREAS, Section IV(2)(c) of the Management Agreement requires that all PGW expenditures be made pursuant to approved budgets; and

WHEREAS, a Fiscal Year ("FY") 2006 Capital Budget for PGW in the "not-to-exceed" amount of sixty four million six hundred nineteen thousand dollars ($64,619,000) was approved by Ordinance passed by City Council (Bill No. 050792) on November 3, 2005 and signed by the Mayor on November 17, 2005 ("FY 2006 Budget Ordinance"); and

WHEREAS, an amended FY 2006 Capital Budget for PGW in the "not-to-exceed" amount of sixty five million eight hundred thirty five thousand dollars ($65,835,000) was approved by Ordinance passed by City Council (Bill No. 060011) on March 16, 2006 and signed by the Mayor on March 30, 2006 ("FY 2006 Budget Amendments Ordinance"); and

WHEREAS, PGW's request to increase the High Pressure Load Additions line item in the approved FY 2006 Capital Budget by two million three hundred nine thousand dollars ($2,309,000) to fund additional costs associated with discrete load growth projects was reviewed by the Gas Commission and was endorsed by the Gas Commission at its public meeting held on May 2, 2006 as a one million three hundred eleven thousand dollar ($1,311,000) increase to said line item in conjunction with a new nine hundred ninety-nine thousand dollar ($999,000) line item in the Budget for the Civic Center Boulevard Project; and

WHEREAS, these new and amended line items would together increase the Budget by two million three hundred ten dollars ($2,310,000) and result in a new "not-to-exceed" Budget total of sixty eight million one hundred forty five thousand dollars ($68,145,000); and

WHEREAS, on May 4, 2006 PGW filed with the Gas Commission a Further Revised Compliance FY 2006 Capital Budget Proposal of sixty eight million one hundred forty five thousand dollars ($68,145,000); and

WHEREAS, Council therefore desires to provide for the evolving capital needs and related expenditures of PGW by further amending the FY 2006 Capital Budget to reflect the foregoing additional costs.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1.
Section 1 of Bill No. 050792, entitled "An Ordinance approving the Fiscal Year 2006 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and

acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2007 through 2011", is further amended as follows:

Section 1. Approval and Acknowledgment.
Pursuant to the provisions of Section IV(2)(b) and IV(2)(c) of the Management Agreement**[**/Ordinance**]** , the Council:

A. does hereby approve the Fiscal Year 2006 Capital Budget for the Philadelphia Gas Works in an amount not exceeding **[**sixty five million eight hundred thirty five thousand dollars ($65,835,000)**]** *sixty eight million one hundred forty five thousand dollars ($68,145,000)* as reflected in the *Further* Revised Compliance FY 2006 Capital Budget Proposal which is attached as Exhibit **[**#1-A**]** *#1-B* to this Ordinance subject to the provisions of Sections 3 through 8 of this Ordinance; and

B. does hereby acknowledge receipt of PGW's Forecast of Capital Budgets for Fiscal Year 2007 through Fiscal Year 2011.

SECTION 2.
Section 2 of said Bill No. 050792 is further amended as follows:

Section 2. Spending Authorization.
The amounts shown in the approved FY 2006 Capital Budget are hereby authorized for the purposes shown and shall be available for expenditure upon the effective date of this Ordinance during Fiscal Year 2006, defined as September 1, 2005 through August 31, 2006, in an amount not to exceed **[**sixty five million eight hundred thirty five thousand dollars ($65,835,000)**]** *sixty eight million one hundred forty five thousand dollars ($68,145,000)* as reflected in the *Further* Revised Compliance FY 2006 Capital Budget Proposal which is attached as Exhibit **[**#1-A**]** *#1-B* to this Ordinance subject to the provisions of Sections 3 through 8 of this Ordinance.

SECTION 3.
Section 6 of said Bill No. 050792 is further amended as follows:

Section 6. Constraints And Conditions - Transfers of Line Item Spending Authority.

A. PGW shall have the authority to implement intradepartmental transfers of line item spending authority in the approved FY 2006 Capital Budget at its discretion subject to the following constraints and conditions.

* * *

(x). In no event will the total bottom-line amount of **[**sixty five million eight hundred thirty five thousand dollars ($65,835,000)**]** *sixty eight million one hundred forty five thousand dollars ($68,145,000)* for the FY 2006 Capital Budget herein approved be exceeded.

* * *

(xiii). The FY 2006 Capital Budget line item styled "Main Additions for Civic Center Boulevard Project (#52-20-1-02) ($999,000)" shall be unavailable for line item transfers.

B. The Gas Commission shall have the authority to review and approve for good cause shown PGW's requests for intradepartmental transfers of line item spending authority in the approved FY 2006 Capital Budget that would otherwise exceed PGW's discretion under Section 6(A) of this Ordinance subject to the following constraints and conditions.

* * *

(ii). In no event will the total bottom-line amount of **[**sixty five million eight hundred thirty five thousand dollars ($65,835,000)**]** *sixty eight million one hundred forty five thousand dollars ($68,145,000)* for the FY 2006 Capital Budget herein approved be exceeded.

C. The Gas Commission shall have the authority to review and approve for good cause shown PGW's requests for interdepartmental transfers of line item spending authority in the approved FY 2006 Capital Budget subject to the following constraints and conditions.

* * *

(ii). In no event will the total bottom-line amount of **[**sixty five million eight hundred thirty five thousand dollars ($65,835,000)**]** *sixty eight million one hundred forty five thousand dollars ($68,145,000)* for the FY 2006 Capital Budget herein approved be exceeded.

SECTION 4.
Section 8 of said Bill No. 050792 is amended as follows:

Section 8. Exhibits.
Exhibits **[**#1-A**]** *#1-B* and #2 referenced in this Ordinance and incorporated herein shall be kept on file by the Chief Clerk of City Council and shall be available to the public for inspection, reading or copying at reasonable times.

Explanation:

- **[**Brackets**]** indicate matter deleted.
- *Italics* indicate new matter added.

[This page Reserved for Exhibit #1-B]