City of Philadelphia

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

Legislation Details (With Text)

File #:	140345	**Version:**	0	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	4/24/2014			**In control:**	Committee on Finance
On agenda:				**Final action:**	6/12/2014

Title: Further amending Bill No. 130325 entitled "An Ordinance approving the Fiscal Year 2014 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 2015 through 2019," as previously amended by Bill No. 130583, by approving a further amended Capital Budget for Fiscal Year 2014.

Sponsors: Councilmember Tasco

Indexes: PHILADELPHIA GAS WORKS

Code sections:

Attachments: 1. 140345 - Exhibit 1B, As Introduced.pdf, 2. CertifiedCopy14034500.pdf

Date	Ver.	Action By	Action	Result	Tally
6/19/2014	0	MAYOR	SIGNED		
6/12/2014	0	CITY COUNCIL	READ AND PASSED	Pass	16:0
6/5/2014	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/5/2014	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/5/2014	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
5/22/2014	0	Committee on Finance	HEARING NOTICES SENT		
5/22/2014	0	Committee on Finance	HEARING HELD		
5/22/2014	0	Committee on Finance	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
4/24/2014	0	CITY COUNCIL	Introduced and Referred	Pass	

Further amending Bill No. 130325 entitled “An Ordinance approving the Fiscal Year 2014 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 2015 through 2019,” as previously amended by Bill No. 130583, by approving a further amended Capital Budget for Fiscal Year 2014.

WHEREAS, A Fiscal Year (“FY”) 2014 Capital Budget for the Philadelphia Gas Works (“PGW”) in the “not-to-exceed” amount of one hundred two million four hundred eighty seven thousand dollars ($102,487,000) was approved by City Council on June 6, 2013 and signed by the Mayor on June 17, 2013; and

WHEREAS, An amended FY 2014 Capital Budget for PGW in the “not-to-exceed” amount of one hundred two million nine hundred twenty five thousand dollars ($102,925,000) was approved by City Council on October 17, 2013 and signed by the Mayor on October 30, 2013; and

powered by Legistar™

WHEREAS, On January 6, 2014, PGW filed with the Gas Commission a request to further increase the FY 2014 Capital Budget by three million three hundred sixty nine thousand dollars ($3,369,000) to provide for the incremental replacement of approximately three (3) additional miles of small diameter (8-inch and smaller) cast iron main, thereby improving its risk profile; and

WHEREAS, The Gas Commission's due diligence review of PGW's amendment request revealed that PGW's most current pending projections showed that there would be an underspending totaling approximately four million seven hundred thirty four thousand dollars ($4,734,000) in two line items in the approved FY 2014 Capital Budget providing spending authorization for incremental replacement of large diameter (12-inch and 30 -inch) cast iron mains; and

WHEREAS, The Gas Commission's due diligence review of PGW's amendment request culminated in deliberations and decision at a public meeting held on April 8, 2014 whereby the Gas Commission endorsed amendments to the FY 2014 Capital Budget that would insert a new line item, "Long Term Infrastructure Plan - Accelerated Cast Iron (#52-21-2-03) ($3,369,000)" for the stated purposes, subject to certain constraints and conditions, and that would also reduce by a total of three million three hundred sixty nine thousand dollars ($3,369,000) two related line items in said Budget, i.e., "Incremental Replacement of 12" HP Cast Iron Main (#52-20-2-02) ($7,789,000)" (to be reduced by one million dollars ($1,000,000)) and "Incremental Replacement of 30" HP Cast Iron Main & Other Large Diameter Main (#52-20-2-03) ($10,385,000)" (to be reduced by two million three hundred sixty nine thousand dollars ($2,369,000)); and

WHEREAS, Said recommended amendments would not change the total "not-to-exceed" amount of the FY 2014 Capital Budget of one hundred two million nine hundred twenty five thousand dollars ($102,925,000); and

WHEREAS, On April 11, 2014 PGW filed with the Gas Commission a Second Amended Compliance FY 2014 Capital Budget Proposal of one hundred two million nine hundred twenty five thousand dollars ($102,925,000), incorporating the aforesaid recommended amendments; and

WHEREAS, Council seeks to provide for the evolving capital needs and related expenditures of PGW by further amending the FY 2014 Capital Budget to support replacement of approximately three (3) additional miles of small diameter (8-inch and smaller) cast iron main.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1.
Section 1 of Bill No. 130325 (adopted by the City on June 17, 2013), as previously amended by Bill No. 130583 (adopted by the City on October 30, 2013), 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, the Council:

A. does hereby approve the Fiscal Year ("FY") 2014 Capital Budget for the Philadelphia Gas Works ("PGW") in an amount not exceeding one hundred two million nine hundred twenty five thousand dollars ($102,925,000) as reflected in the **Second Amended** ~~Revised~~ Compliance FY 2014 Capital Budget Proposal which is attached as Exhibit ~~*#1-A*~~ ***#1-B*** to this Ordinance, subject to the provisions of Sections 3 through 6 of this Ordinance; and

B. does hereby acknowledge receipt of PGW's Forecast of Capital Budgets for FY 2015 through FY 2019.

SECTION 2.
Section 2 of Bill No. 130325, as previously amended, is further amended as follows:

Section 2. Spending Authorization
The amounts shown in the approved FY 2014 Capital Budget are hereby authorized for the purposes shown and shall be available for expenditure as of FY 2014 defined as September 1, 2013 through August 31, 2014 in an amount not exceeding one hundred two million nine hundred twenty five thousand dollars ($102,925,000) as reflected in the **Second Amended** ~~Revised~~ Compliance FY 2014 Capital Budget Proposal which is attached as Exhibit *~~#1-A~~* ***#1-B*** to this Ordinance, subject to the provisions of Sections 3 through 6 of this Ordinance.

SECTION 3.
Section 6 of Bill No. 130325, as previously amended, is further amended as follows:

Section 6. 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.

[Note: Exhibits to this Bill are on file in the Office of the Chief Clerk.]

Explanation:
~~Strikethrough~~ indicates matter deleted.
Bold indicates new matter added.