

RESOLUTION NO. 2022 - 109

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH NATURCHEM, INC. DBA OPTERRA SOLUTIONS, TO MOW, CLEAR AND MAINTAIN CERTAIN DETENTION PONDS FOLLOWING COLLECTION OF FUNDS FROM OWNERS OF PROPERTIES WITHIN AFFECTED SUBDIVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS certain detention ponds located within the City of Powder Springs are delineated on private property and belong to single property owners or absent owners who have not maintained said ponds;

WHEREAS multiple properties drain to said ponds as identified in subdivision plats, said ponds developed as required by development regulations to capture runoff from the development to pre-development levels;

WHEREAS despite pond development for the benefit of and to capture runoff from all lots within the platted subdivision, the ponds were located on individual private parcels;

WHEREAS individual private owners are not equipped to address the proper maintenance and functioning of detention ponds, and many ponds are owned by absent owners, which results in deficient, unmaintained detention ponds that have negative impacts on both the immediate neighborhood as well as the city wide stormwater system;

WHEREAS the City adopted previously adopted an ordinance specifying that should the owner of stormwater management systems and facilities fail to maintain such stormwater management systems and facilities, the city may perform such maintenance as is necessary in the public interest to keep the systems and facilities functional and the cost of the City's activities shall be a special assessment against the improved properties authorized and constructed under the land disturbance permit issued for the development for which the stormwater infrastructure was installed;

WHEREAS the City solicited and obtained quotes to mow and maintain detention ponds and it desires to accept the quote submitted by NaturChem, Inc., DBA Opterra Solutions ("NaturChem") as the lowest responsive and responsible and sole quote;

WHEREAS the City will utilize budgeted stormwater dollars to complete the required work and impose a special assessment against the improved properties that were authorized and constructed under the land disturbance permit issued for the development for which the pond was constructed in order to reimburse the stormwater fund pursuant to City codes and regulations;

BE IT THEREFORE RESOLVED by the Council for the City of Powder Springs that it approves and authorizes the Mayor or Mayor Pro Tem to execute an agreement with NaturChem, Inc., DBA Opterra Solutions, in the amount of \$1215 per pond to complete the maintenance activities of mowing and clearing the area of vegetation and debris from the detention ponds identified in the attached Exhibit "A", subject to the review and approval by the City Attorney;

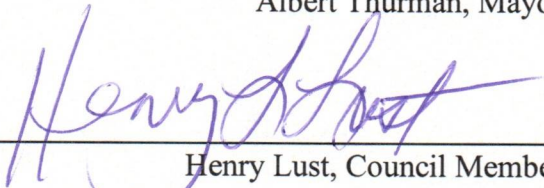
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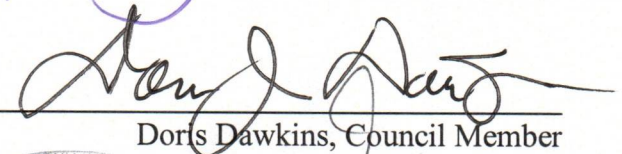
BE IT FURTHER RESOLVED that the Finance Department shall include a special assessment for the pond work on the upcoming property tax billing to reimburse the stormwater fund for the costs of repairs performed by NaturChem as provided by City codes and regulations. This Resolution shall be effective upon adoption.

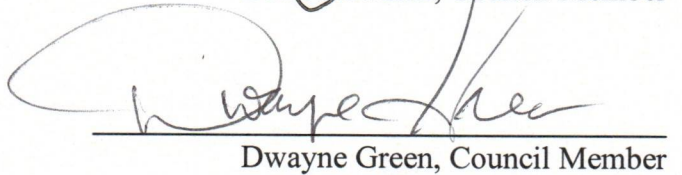
SO RESOLVED this 18th day of July, 2022.

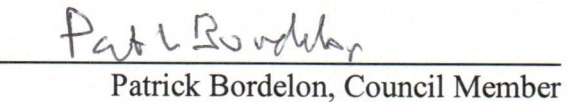
Absent

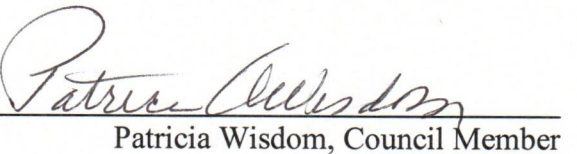
Albert Thurman, Mayor

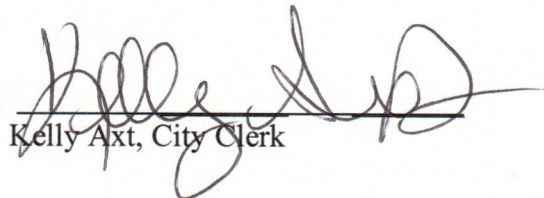

Henry Lust, Council Member


Doris Dawkins, Council Member


Dwayne Green, Council Member


Patrick Bordelon, Council Member


Patricia Wisdom, Council Member

ATTEST: 
Kelly Axt, City Clerk