

RESOLUTION 2021 - 109

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ARDITO CONSTRUCTION COMPANY, INC TO MAKE CERTAIN REPAIRS TO THE RETENTION POND WITHIN THE PEMBROOKE SUBDIVISION FOR AN AMOUNT OF \$83,064; DIRECTING THE FINANCE DEPARTMENT TO COLLECT CERTAIN ASSESSMENTS FOR SAID REPAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Powder Springs (the “City”) previously inspected and identified deficiencies at a retention pond located on certain private properties within the Pembroke Subdivision that have not been adequately maintained and require repair and replacement in order to prevent complete failure and impact public health and safety;

WHEREAS, the City’s stormwater ordinances and regulations provide that when owners of stormwater systems and facilities fail to adequately maintain such 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 make repairs to the retention pond within the Pembroke subdivision and it desires to accept the quote submitted by Ardito Construction Company, Inc. (“Ardito”) as the lowest responsive and responsible quote;

WHEREAS, the City will utilize budgeted stormwater dollars to complete the required repairs and impose a special assessment against the improved properties that were authorized and constructed under the land disturbance permit issued for the Pembroke subdivision development 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 to execute an agreement with Ardito in the amount of \$83,064 for the repair of the retention pond located within the Pembroke Subdivision, subject to the review and approval by the City Attorney;

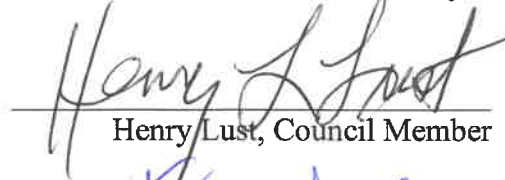
BE IT FURTHER RESOLVED that the Finance Department shall include a special assessment for the pond repairs on the upcoming property tax billing to reimburse the stormwater fund for the costs of repairs performed by Ardito as provided by City codes and regulations. This Resolution shall be effective upon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

SO RESOLVED this 19th day of July, 2021.

[Signature page follows]

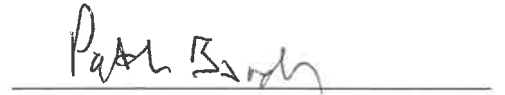
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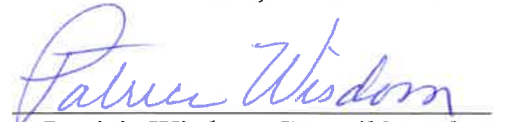

Albert Thurman, Mayor


Henry Lust, Council Member


Doris Dawkins, Council Member


Thelma C. Farmer, Council Member


Patrick Bordelon, Council Member


Patricia Wisdom, Council Member

Attest: 
Kelly Axt, City Clerk