

CITY COUNCIL
ATLANTA, GEORGIA

A SUBSTITUTE ORDINANCE#2

00-O-2069

BY

FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO WRITE-OFF CERTAIN SANITARY SERVICE CHARGES AND DEMOLITION LIENS FOR A CERTAIN TRACT OF LAND LOCATED IN THE MECHANICSVILLE COMMUNITY; TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH SUMMECH COMMUNITY DEVELOPMENT CORPORATION OR ITS TRANSFEREE FOR THE COMPROMISE, DISCHARGE AND RELEASE OF CERTAIN DELINQUENT SANITARY SERVICE CHARGE AND DEMOLITION LIENS FILED AGAINST SEVERAL OF THE PARCELS LOCATED IN SAID TRACT, IN EXCHANGE FOR SUMMECH COMMUNITY DEVELOPMENT CORPORATION OR ITS TRANSFEREE TO REDEVELOP THE PROPERTY FOR AFFORDABLE HOUSING; AND FOR OTHER PURPOSES.

WHEREAS, a certain tract of land located in the Mechanicsville Community bounded by the following streets: Glenn, Windsor, Cooper and Crumley is the site of the redevelopment of an affordable housing project to be known as "Ware Estates, Phases II and III;" and

WHEREAS, demolition liens in the amount of \$47,432.68 and delinquent sanitary service charges in the amount of \$67,734.09 are filed against the said property; and

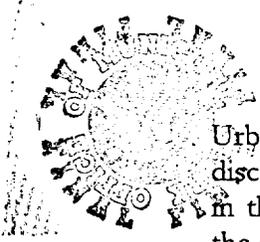
WHEREAS, the redevelopment of the Ware Estates, Phases II and III would result in estimated sanitary service revenues of \$16,689.17 per annum effective immediately and City ad valorem taxes of \$18,621.57 per annum after the abatement period; and

WHEREAS, if the outstanding demolition liens and delinquent sanitary service charges were discharged, then the sanitary service and ad valorem tax revenues derived from the redevelopment (Ware Estates, Phases II and III) would be fully offset in seven years; and

WHEREAS, the compromise of said lien, fees, and interest pursuant to an agreement between the City and SUMMECH Community Development Corporation (CDC), Inc. or its transferee, Ware Estate Partners, a general partnership between SUMMECH CDC and Urban Residential Development Corporation (Developer), would lend financial assistance to the redevelopment effort while furthering the interests of the City; now therefore,

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA
HEREBY ORDAINS, AS FOLLOWS:**

SECTION 1: The Mayor or his designee is hereby authorized to execute an agreement with SUMMECH Community Development Corporation (CDC), Inc. or its transferee, Ware Estate Partners, a general partnership between SUMMECH CDC and



Urban Residential Development Corporation through which agreement the City will waive, discharge, release demolition liens in the amount of \$47,432.68 and sanitary service charges in the amount of \$67,734.09 in exchange for SUMMECH CDC's agreement to redevelop the said property.

SECTION 2: The City does not forego its right and ability to collect outstanding amounts without further approval by the City Council in the event that the redevelopment does not occur within five years from the adoption of this legislation.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby rescinded.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

MAR 19, 2001
MAR 27, 2001



**AGREEMENT BETWEEN
CITY OF ATLANTA
AND
SUMMECH COMMUNITY DEVELOPMENT CORPORATION, INC.**

This agreement (the "agreement") is made and entered into this day of January, 2001, by and among the City of Atlanta, (hereinafter referred to as "The City"), and SUMMECH Community Development Corporation, Inc. Thereinafter referred to as SUMMECH.

WITENSSETH

WHEREAS, SUMMECH is assisting the City with the redevelopment of thirty-six (36) parcels located in the Mechanicsville Community in the blocks bounded north by Crumley St., South by Ralph David Abernathy Blvd. West by Windsor St. and East by Cooper St. Atlanta, Fulton County, Georgia.

WHEREAS, certain parcels have delinquent demolition liens in the approximate total amount of **\$25,800.18.**

WHEREAS, the City has authorized the discharge, waiver, release, and/or quit claim of said delinquent demolition bills in consideration for **SUMMECH** agreement to invest the amount of **\$278,080** in the form of improvements to the public infrastructure.

WHEREAS, certain parcels have delinquent sanitary service fees liens filed in the approximate total amount of **\$13,871.57** and

WHEREAS, the City is authorized to waive, discharge, release and/or quit claim any interest which the City has or may have in certain demolition and sanitary service charge liens filed against said parcel in consideration for **SUMMECH** agreement in developing the property of affordable housing and in making certain improvements to the public infrastructure; and

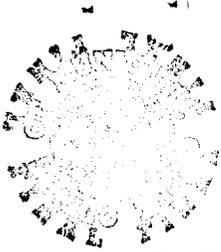
WHEREAS, the City shall enact Ordinance (01-0-2069), (hereafter "the Ordinance"), to affect the waiver, discharge, release and/or quit claim of said demolition and sanitary service fee charge liens;

NOW, THEREFORE, for and in consideration of the sum of ten and no/100 dollars (\$10.00) in hand paid, the premises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, The City and **SUMMECH** hereby agree as follows:



1. INFRASTRUCTURE DEVELOPMENT COSTS. The City and **SUMMECH** agree that **SUMMECH** shall spend approximately **\$278,080** in improvements to the infrastructure of said parcels and for the development of affordable housing as shown below:

- A. SANITARY AND SEWER DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$42,090** will be spent in development cost for infrastructure improvement too sanitary and sewer systems.
- B. WATER INFRASTRUCTURE DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$29,320** will be spent in development cost for infrastructure improvement to the development project.
- C. STORM WATER AND RETENTION DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$47,050** will be spent in development cost for infrastructure improvement for storm water and retention costs.
- D. EROSION DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$10,000** will be spent in development cost for infrastructure improvement to reduce erosion.
- E. SITE GRADING AND PREPARATION DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$52,520** will be spent in development costs for site preparation and grading.
- F. CURB AND GUTTER DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$12,000** will be sent in development cost for infrastructure improvement to curbs and gutters.
- G. PAVING INTERIOR STREET DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$12,000** will be spent in development cost for infrastructure improvement to the interior streets of the development.
- H. FENCING DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$5,000** will be spent in development costs for building fences.
- I. INTERIOR SIDEWALKS DEVELOPMENT COSTS. The City and **SUMMECH** agree that approximately **\$11,500** will be spent in development cost for infrastructure improvement to the interior sidewalks.
- J. LANDSCAPING, OPEN SPACES AND COMMON AREA DEVELOPMENT COSTS. The City and **SUMMECH** agree that



approximately \$35,000 will be spent in development cost for land beautification and landscaping.

- 2. RATIFICATION AND CONSENT BY THE CITY. The City agrees that the above development costs shall satisfy the requirements to the ordinance.
- 3. BINDING AGREEMENT. This agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.
- 4. GEORGIA LAW. This agreement shall be governed by and interpreted in accordance with the laws of the State of Georgia.

IN WITNESS WHEREOF, the above terms and conditions are hereby acknowledge, accepted and agree upon by the parties hereto, all as of the day and year above written.

Before me this _____ day
of _____ 2001.

Unofficial Witness

By: _____

Name: _____

Title: _____

Attest:

Municipal

Sworn to and subscribed
Before me this _____ day
of _____ 2001 _

Notary Public

Unofficial Witness

The City of Atlanta

By: _____
Mayor

Recommended:

Chief Operating Officer

Commissioner, Planning, Development and
Neighborhood Conservation



Approved As to Form:

City Attorney

Approved:

Chief Financial Officer

**WARE ESTATES PARTNERS
WARE ESTATES PHASE III
BUDGET**

Exhibit B

Descriptions	Contract
General Conditions	\$187,930.00
Site Preparation	\$24,580.00
Earthwork	\$52,520.00
Soil Export Allowance	\$0.00
Sewerage & Drainage	\$42,090.00
Storm Water Collection System	\$47,650.00
Paving & Surfacing	\$33,600.00
Water Distribution System	\$29,320.00
Landscape & Site Improvement	\$35,000.00
Concrete	\$141,000.00
Masonry	\$67,650.00
Rough Carpentry Labor	\$283,400.00
Rough Carpentry Material	\$165,500.00
Wood Trusses	\$48,850.00
Exterior Siding & Trim	\$50,350.00
Interior Millwork & Trim	\$26,690.00
Cabinets	\$45,100.00
Hardware	\$9,770.00
Fire Extinguishers	\$1,130.00
Roofing	\$32,700.00
Gutters & Downspouts	\$9,770.00
Gypsum Board	\$157,000.00
Doors	\$44,000.00
Windows	\$16,160.00
Flooring	\$41,720.00
Painting	\$55,630.00
Tile	\$12,000.00
Wire Shelving	\$9,770.00
Appliances	\$34,580.00
Window Treatment	\$4,510.00
Specialties	\$3,760.00
Plumbing	\$89,850.00
HVAC	\$64,270.00
Telephone Rough-in	\$6,000.00
Electric	\$76,510.00
Alarm	\$9,020.00
Speaker Pre-Wire	
Insulation	\$23,300.00
Fencing	\$6,010.00
Concrete Walk Repairs	\$3,760.00
Gas Distribution	\$25,560.00
GC FEE	\$154,440.00
Bond	\$22,550.00

TOTAL \$2,195,000.00

RCS# 2725
3/19/01
2:52 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 15

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

RCS# 2726
3/19/01
2:54 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered*
#1

Pages 1 thru 15

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	NV Emmons
NV Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067
01-O-0354

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

RCS# 2753
3/19/01
5:40 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered*
2

Pages 1 thru 15

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067
01-O-0354
01-O-0188

Woolard & Morris voted Nay on the
following items:
01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS
ADOPTED ON
CONSENT
AGENDA**

**ITEMS
ADVERSED
ON CONSENT
AGENDA**

- | | | |
|---------------|---------------|---------------|
| 1. 01-O-0306 | 39. 01-R-0397 | 57. 01-R-0437 |
| 2. 01-O-0445 | 40. 01-R-0398 | 58. 01-R-0438 |
| 3. 01-O-0449 | 41. 01-R-0399 | 59. 01-R-0375 |
| 4. 01-O-0450 | 42. 01-R-0400 | 60. 01-R-0376 |
| 5. 01-O-0098 | 43. 01-R-0401 | 61. 01-R-0377 |
| 6. 01-O-0178 | 44. 01-R-0402 | 62. 01-R-0378 |
| 7. 01-O-0302 | 45. 01-R-0403 | 63. 01-R-0379 |
| 8. 01-O-0367 | 46. 01-R-0404 | 64. 01-R-0380 |
| 9. 00-O-1987 | 47. 01-R-0405 | 65. 01-R-0381 |
| 10. 01-O-0448 | 48. 01-R-0406 | 66. 01-R-0382 |
| 11. 00-O-2069 | 49. 01-R-0407 | 67. 01-R-0383 |
| 12. 01-O-0446 | 50. 01-R-0408 | 68. 01-R-0384 |
| 13. 01-O-0187 | 51. 01-R-0409 | 69. 01-R-0385 |
| 14. 01-O-0294 | 52. 01-R-0410 | 70. 01-R-0386 |
| 15. 01-R-0411 | 53. 01-R-0433 | 71. 01-R-0387 |
| 16. 01-R-0412 | 54. 01-R-0434 | 72. 01-R-0388 |
| 17. 01-R-0413 | 55. 01-R-0435 | 73. 01-R-0389 |
| 18. 01-R-0414 | 56. 01-R-0436 | 74. 01-R-0390 |
| 19. 01-R-0420 | | 75. 01-R-0391 |
| 20. 01-R-0421 | | 76. 01-R-0392 |
| 21. 01-R-0475 | | 77. 01-R-0393 |
| 22. 01-R-0428 | | 78. 01-R-0394 |
| 23. 01-R-0429 | | 79. 01-R-0395 |
| 24. 01-R-0477 | | 80. 01-R-0396 |
| 25. 01-R-0220 | | 81. 01-R-0440 |
| 26. 01-R-0430 | | 82. 01-R-0439 |
| 27. 01-R-0447 | | |
| 28. 01-R-0452 | | |
| 29. 01-R-0458 | | |
| 30. 01-R-0417 | | |
| 31. 01-R-0426 | | |
| 32. 01-R-0427 | | |
| 33. 00-R-1466 | | |
| 34. 01-R-0416 | | |
| 35. 01-R-0419 | | |
| 36. 01-R-0424 | | |
| 37. 01-R-0108 | | |
| 38. 01-R-0189 | | |
-

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW

00-0-2069

(Do Not Write Above This Line)

An Ordinance by Councilmember Debi Starnes:

To Authorize the Chief Financial Officer to write-off certain past due sanitary service charges and demolition liens for a certain tract of land located in the Mechanicsville Community; to authorize the Mayor to execute an agreement with Summech CDC or its transferee for the compromise, discharge and release of certain delinquent sanitary service charge and demolition liens filed against several of the parcels located in said tract, in exchange for the redevelopment of the property for affordable housing, the making of certain improvements to the public infrastructure while furthering the interest of the City by eliminating blight and Neighborhood deterioration, and for other purposes.

1/16/00 Referred back to Committee without objection

REFERRED BY CITY COUNCIL

- CONSENT REFERRED
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & ACCEPTED BY
- PERSONAL PAPER REFER

Date Referred 12/4/00 MAR 19 2001

Referred To: Finance/Executive

Date Referred 1/16/00

Referred To: Finance/Executive

Date Referred 2/5/01

Referred To: Finance/Executive

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee FIN/EXEC
 Date 12-13-00
 Chair [Signature]
 Action: Fav. Adv. Hold (see rev. side)
 Other: Subst: hold
 Members [Signature]
 Refer To _____

Committee FIN/EXEC
 Date 1-10-01
 Chair [Signature]
 Action: Fav. Adv. Hold (see rev. side)
 Other: _____
 Members [Signature]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee FIN/EXEC
 Date 1-31-01
 Chair [Signature]
 Action: Fav. Adv. Hold (see rev. side)
 Other: Subst. as amended to add agreement
 Members [Signature]
 Refer To _____

Committee FIN/EXEC
 Date 3/14/01
 Chair [Signature]
 Action: Fav. Adv. Hold (see rev. side)
 Other: _____
 Members [Signature]
 Refer To _____

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Readings
 Consent
 V Vote
 RC Vote

CERTIFIED
 FAVORABLE REPORT
 FIN/EXEC
 3-14-01

CERTIFIED
 MAR 19 2001
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 MAR 19 2001
 as sub. judicial
 MUNICIPAL CLERK

MAYOR'S ACTION
 MAR 27 2001
 [Signature]