

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

AN ORDINANCE AUTHORIZING THE ACQUISITION THROUGH THE EXERCISE OF EMINENT DOMAIN, PURSUANT TO THE SPECIAL MASTER METHOD, O.C.G.A. § 22-2-100 ET SEQ. OR OTHER CONDEMNATION METHOD AS MAY BE APPLICABLE, OF FEE SIMPLE TITLE TO 2171 MACK DRIVE, 2181 MACK DRIVE, SIZEMORE AVENUE/GUN CLUB DRIVE PARCEL 17 024700030152, AND 1350 SIZEMORE AVENUE, ATLANTA, FULTON COUNTY, GEORGIA (COLLECTIVELY, THE “PROPERTIES”) FOR PUBLIC USE; TO AUTHORIZE THE CITY ATTORNEY, OR HIS DESIGNEE, TO INSTITUTE FORMAL CONDEMNATION PROCEEDINGS TO ACQUIRE THE PROPERTY FOR PUBLIC USE, INCLUDING USE OF OUTSIDE COUNSEL WHERE NECESSARY; AUTHORIZING THE PAYMENT OF JUST AND ADEQUATE COMPENSATION FOR THE PROPERTY TO THE OWNER AND ANY OTHER PARTIES ENTITLED THERETO; ALL AMOUNTS ASSOCIATED WITH THESE ACTIONS SHALL BE CHARGED TO AND PAID FROM FUND OR ACCOUNT NUMBERS LISTED HEREIN; AND FOR OTHER PURPOSES.

Council Meeting Date: August **, 2017

Legislation Title: Condemnation of Gun Club Landfill Adjacent Properties

Requesting Dept.: THE DEPARTMENT OF PUBLIC WORKS

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to authorize the City Attorney to institute condemnation proceedings to acquire four property adjacent to Gun Club Landfill. The City needs to acquire these four properties near the edge of Gun Club Landfill to conduct federal and state mandated monitoring activities associated with post-closure care.

2. Please provide background information regarding this legislation.

Gun Club Landfill was a permitted Municipal Landfill that is now closed. The City is responsible for post closure care of Gun Club Landfill. Over the preceding years the City has, as necessary, acquired additional properties surrounding Gun Club Landfill to conduct state and federal mandated monitoring procedures. These four properties are now needed for the same purpose.

3. If Applicable/Known:

- (a) **Contract Type:**
- (b) **Source Selection:**

- (c) **Bids/Proposals Due:**

- (d) **Invitations Issued:**
- (e) **Number of Bids/Proposals Received:**
- (f) **Bidders/Proponents:**
- (g) **Background:**
- (h) **Term of Contract:**

4. Fund Account Center:

5. Source of Funds:

6. FISCAL IMPACT

- Cost will be covered by the Department's current year budget
- Budget neutral – no monetary impact
- Cost not anticipated in the Department's current year budget –
see account string in legislation

Or

Note

7. Method of Cost Recovery:

8. Approvals:

DOF:

DOL:

This Legislative Request Form Was Prepared By:

Contact Number: