



Work Session Agenda
Thursday, October 15, 2020, 9:00 AM
Administrative Building, Board Room (3rd Floor)
300 Henry Ward Way, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

DEPARTMENT ISSUES

Water Resources Resolution: Chattahoochee Country Club Sanitary Sewer Extension Cost Participation Myron Bennett

CITY MANAGER ISSUES

MAYOR/COUNCIL ISSUES

Ex-Officio Report(s)

CITY ATTORNEY ISSUES

Resolution: Airport Industrial Park Consent to Assignment for Victory Processing Company (Parcel 7-B of Tract A-7) Abb Hayes

CITY CLERK ISSUES

EXECUTIVE SESSION

ADJOURNMENT

Final: Tuesday, October 13, 2020, 9:10 AM

Date Submitted: 10/9/2020

Presenter: Myron Bennett

Item of Business: Resolution: Chattahoochee Country Club Sanitary Sewer Extension Cost Participation

Meeting Date: 10/15/2020

Purpose of Request:

To obtain authorization from Council to reimburse the Chattahoochee Country Club in the amount of \$400,000.00 for costs associated with constructing a sanitary sewer lift station and force main.

History/Background:

The Chattahoochee Country Club wishes to expand their facilities in the near future. In order to do so, the club will need to connect to public sanitary sewer and abandon the existing septic system.

Facts & Issues for Consideration:

If approved, the City will have the ability to serve the Chattahoochee Country Club with sanitary sewer service at a fraction of the cost to the City.

Department Recommendation:

Authorize staff by resolution to reimburse the property owner in the amount requested.

Department Director:

Linda MacGregor

If funding is involved, are funds approved within the current budget?

No

Amount Requested:

400,000.00

Source of Funds:

Department of Water Resources Capital Improvements Project Fund

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Chattahoochee Country Club Sanitary Sewer Cost Participation	Resolution
☐ Attachment A - Bid Award Document	Attachments/Exhibits
☐ Location Map	Backup Material

RESOLUTION BR-2020 - ____

CHATTAHOOCHEE COUNTRY CLUB SANITARY SEWER EXTENSION COST PARTICIPATION

WHEREAS, the City of Gainesville owns and operates a sanitary sewer system; and

WHEREAS, Gainesville Department of Water Resources (GDWR) intends to expand its existing sanitary sewer system to serve additional properties within the City limits; and

WHEREAS, the Property Owner/Developer Chattahoochee Country Club (CCC) located at 3000 Club Drive, wishes to connect to the City of Gainesville sanitary sewer system; and

WHEREAS, a sanitary sewer lift station and force main are required before connection to the Gainesville sanitary sewer system is possible; and

WHEREAS, the property owner has requested the City consider participating in the cost of said system expansion; and

WHEREAS, CCC awarded a bid to Lanier Contracting Company for construction of a sanitary sewer lift station and approximately 7,650 linear feet of 6-inch HDPE force main as shown on attached "Attachment A", for a total cost of \$1,774,909.00; and

WHEREAS, DWR staff has reviewed said request and concurs with the reasonable nature of the request.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes reimbursement to Chattahoochee Country Club in the amount of \$400,000.00. Said reimbursement shall be completed within sixty (60) days of final inspection and approval by City staff of said sanitary sewer facilities.

BE IT FURTHER RESOLVED THAT said expenditure shall be paid from the Department of Water Resources Capital Projects Fund.

BE IT FURTHER RESOLVED THAT the Mayor, City Manager and/or City Attorney are authorized to execute all documents necessary to complete this agreement.

Adopted this ____ day of _____, 2020.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

ATTACHMENT A

CHATTAHOOCHEE COUNTRY CLUB
PUMP STATION AND FORCE MAIN (GAINESVILLE PS NO. 80)

12/17/2019

SECTION 00 51 00
NOTICE OF AWARD

TO: Lanier Contracting Co.
3690 Lawrenceville Suwanee Rd
Suwanee, GA 30024

PROJECT Description: Construction of CHATTAHOOCHEE COUNTRY CLUB PUMP STATION AND FORCE MAIN.

The OWNER has considered the BID submitted by you for the above described WORK.

You are hereby notified that your BID has been accepted for items in the amount of \$ 1,774,909.00.

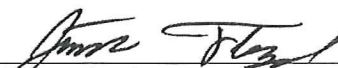
You are required, by the General Information for Contractor, to execute the Agreement and certificates of insurance within ten (10) days from the date of this Notice to you.

If you fail to execute said Agreement within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 9th day of April, 2020

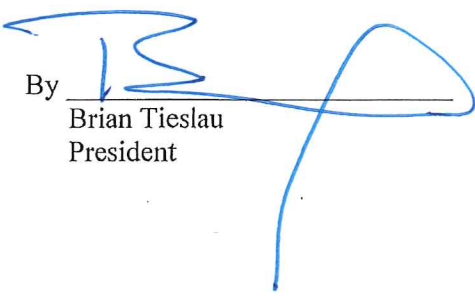
THE CHATTAHOOCHEE COUNTRY CLUB
Owner

By 
Jimbo Floyd
President

ACCEPTANCE OF NOTICE

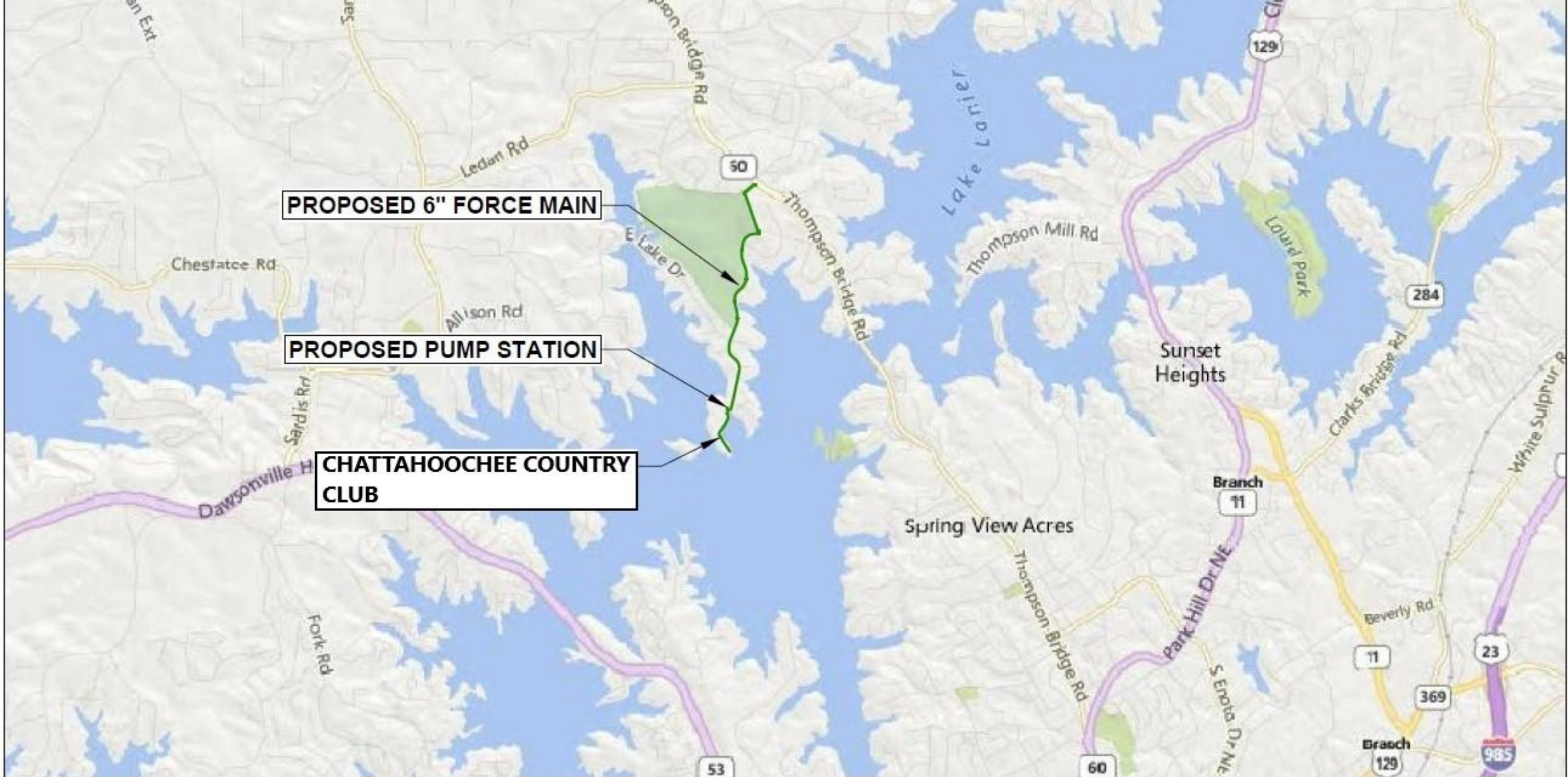
Receipt of the above NOTICE OF AWARD is hereby acknowledged by

LANIER CONTRACTING CO.
Contractor

By 
Brian Tieslau
President

Dated this 13th day of April, 2020

NOTICE OF AWARD
SECTION 00 51 00
Page 1 of 1



LOCATION MAP
SCALE: N.T.S.

Date Submitted: 10/12/2020

Presenter: Abb Hayes

Item of Business: Resolution: Airport Industrial Park Consent to Assignment for Victory Processing Company (Parcel 7-B of Tract A-7)

Meeting Date: 10/15/2020

Purpose of Request:

The purpose of this request is to authorize the assignment of a lease for property located within Airport Industrial Park.

History/Background:

The City of Gainesville has leased property to Victory Processing, LLC since February 21, 1984.

Facts & Issues for Consideration:

The proposed resolution authorizes the execution of documents necessary for the assignment of the lease to secure a loan with Regions Bank as requested by the Redevelopment Authority.

Department Recommendation:

Adopt the resolution as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Victory Processing Consent to Assignment Resolution	Resolution
☐ Victory Processing Consent to Assignment	Backup Material

RESOLUTION BR-2020 - ____

**AIRPORT INDUSTRIAL PARK CONSENT TO ASSIGNMENT FOR
VICTORY PROCESSING COMPANY (PARCEL 7-B of TRACT A-7)**

WHEREAS, the City of Gainesville entered into a Lease Agreement on February 21, 1984, for Parcel 7-B of Tract A-7 of the Airport Industrial Park (said Lease Agreement hereinafter referred to as "the Lease") with B&B Egg Company, Inc. as the original lessee; and

WHEREAS, the City hereby approves the assignment of the Lease from Victory Processing, LLC to Victory Processing Co. on July 31, 2018, and the City hereby consents to and authorizes the assignment of the Lease from Victory Processing Co. to Foundation Food Group, Inc. ("Foundation") on September 18, 2020; and

WHEREAS, upon execution and delivery of the assignment of the Lease from Victory Processing Co. to Foundation, Victory Processing Co. shall be relieved of any further liabilities under the Lease, and Foundation shall be the lessee under the Lease with all obligations of lessee to the City under the Lease; and

WHEREAS, the Foundation is seeking a loan from Regions Bank, with said loan to be secured by an assignment of Foundation's interest in the Lease; and

WHEREAS, the City consents to Foundation's collateral assignment of the Lease by Foundation to Regions or the conveyance by Foundation of security title of Foundation's interest in the Lease pursuant to a leasehold deed to secure debt to Regions Bank to obtain financing; and

WHEREAS, the City agrees that it shall give Regions Bank notice of any default by Foundation under the Lease and that it shall give Regions Bank the right and opportunity to cure any such default within 30 days from receipt of such notice.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the assignments of the Lease as set forth above; and

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager, and City Attorney to sign such documents as necessary to effectuate the approvals set forth in the preceding paragraph of this Resolution.

Adopted this ____ day of _____, 2020.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

CONSENT TO ASSIGNMENT

The undersigned, City of Gainesville, Georgia, the Lessor under the Lease, dated February 21, 1984 (the "Lease") with Victory Processing, LLC, as Lessee by assignment, for property known as Parcel 7-B of Tract A-7 of Gainesville Airport Industrial Park, City of Gainesville, Hall County, Georgia, (the "Leased Property"), hereby approves the assignment of the Lease to Victory Processing Co. by Victory Processing, LLC on July 31, 2018, and hereby consents to and authorizes the Assignment of Lease from Victory Processing Co. to Foundation Food Group, Inc. on September 18, 2020. Upon execution and delivery of the Assignment of Lease from Victory Processing Co. to Foundation Food Group, Inc., Victory Processing Co. shall be relieved of any further liabilities under the Lease and Foundation Food Group, Inc. shall be the Lessee under the Lease with all obligations of Lessee to the City of Gainesville under the Lease.

The City of Gainesville also consents to the collateral assignment of the Lease by Foundation Food Group, Inc. to Regions Bank or the conveyance to Regions Bank by Foundation Food Group, Inc. of security title to the Lessee's interest under the Lease pursuant to a leasehold deed to secure debt to secure the financing of Foundation Food Group, Inc. with Regions Bank. The City of Gainesville agrees it shall give Regions Bank notice of any default by Foundation Food Group, Inc. under the Lease and shall give Regions Bank the right and opportunity to cure any such default within 30 days from receipt of such notice. The terms of this paragraph confirm the terms of Section 7 of the Lease.

This ____ day of _____, 2020.

LESSOR:

CITY OF GAINESVILLE, GEORGIA

Signed, sealed and delivered in
the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____
(NOTARY SEAL)

By: _____
Mayor

Attest: _____
City Clerk

Approved as to form:

City Attorney, City of Gainesville