STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AUTHORIZING LEGAL ACTION PERTAINING TO CITY OF SANDY SPRINGS, GEORGIA PROJECT - P.I. NO. 0006984, FULTON COUNTY PEACHTREE-DUNWOODY FROM I-285 TO ABERNATHY ROAD – LCI PROJECT

WHEREAS, as part of its relationship with the Fulton Perimeter Community Improvement District ("CID"), the City of Sandy Springs ("City") served as sponsor in connection with P.I. No. 0006984, Fulton County, Peachtree-Dunwoody from I-285 to Abernathy Road – LCI Project ("Project"), a locally administered project for the implementation of transportation improvement projects in the City; and

WHEREAS, the Project utilized federal funding from the U.S. Department of Transportation, Federal Highway Administration ("FHWA") through the Georgia Department of Transportation ("GDOT"); and

WHEREAS, as the sponsor administering local federal aid projects for CID, the City was required to follow certain prescribed requirements stated in the Local Administered Project Manual; and

WHEREAS, during calendar year 2014, the FHWA conducted a review of locally administered projects in each GDOT district; and

WHEREAS, as a result of this review, the FHWA found non-compliance issues in connection with the Project, for which the City is being held accountable by the FHWA and GDOT; and

WHEREAS, during the time of design and construction of the Project, the City contracted with a private company to provide services in connection with the management and administration of the Project for the City; and

WHEREAS, the City now desires to pursue all legal avenues to preserve any rights or claims it has with respect to the non-compliance issues identified by the FHWA and GDOT;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sandy Springs at its meeting on August 16, 2016, as follows:

1. The City of Sandy Springs hereby authorizes the City Attorney to take all necessary legal action against any individual, party or entity, as may be necessary, to preserve any rights or claims it may have with regard to liability for any damages suffered by the City pertaining to management and administration of the Project, should negotiations fail to resolve any such claims; and

2. The City Attorney is further authorized to take such actions as shall be necessary to effectuate the intent of this resolution.

RESOLVED this the 16th day of August, 2016.

Approved:

Russell K. Paul, Mayor

Attest:

Michael D. Casey, City Clerk

(SEAL)