

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	COUNCIL MEETING DATE: May 5, 2025 Work Session
Requesting Agency (Initiator) Office of the Mayor		Sponsor(s) Donya L. Sartor, Mayor
Item Title:	Council to consider approval of a Memorandum of Understanding Agreement between Clayton County Water Authority and the City of Jonesboro, Georgia regarding Tara Boulevard Stormwater Rehabilitation Project.	
Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.) Recommending approval of the Memorandum of Understanding Agreement.		
Requirement for Board Action (Cite specific Council policy, statute or code requirement.) Seeking approval.		
Is this Item Goal Related? (If yes, please describe how this Action meets the specific Board Focus Area or Goal.)		
<p>Summary and Background (First sentence includes Agency recommendation. Provide an executive summary of the Action that gives an overview of the relevant details for the item.)</p> <p>Background:</p> <p>This matter concerns the rehabilitation of a collapsed storm drain at the property located at 8405 Tara Boulevard. Originally developed in 1989, the site was constructed over a creek and included the installation of a corrugated metal pipe (CMP) arch culvert by a private developer, with fill material added to elevate the property for construction. A Speedy Emissions facility was built there on top of the site in 2004, which was later used as a Honda repair shop.</p> <p>Around 2016, CCWA—along with likely other community stakeholders—became aware of reports of sinkholes forming at the 8405 Tara Boulevard site, including one near the former structure adjacent to the roadway and another at the building’s southwest corner. Over the following years, what began as a private property concern grew into a matter of broader attention. Based on site inspections and a review of historical development plans, CCWA’s engineers concluded that the collapse of the underlying corrugated metal pipe (CMP) had caused erosion of the fill material, resulting in significant ground destabilization.</p> <p>Between 2020 and 2022, the sinkholes expanded into one large sinkhole, drawing increased involvement from both CCWA and the City of Jonesboro.</p> <p>For CCWA, this led to litigation with the adjacent property owners at 8415 Tara Boulevard (Leslie’s Pool Supplies (tenant)), whose building was threatened by the expanding sinkhole. The property owners (incorrectly) claimed CCWA’s role as the county’s stormwater utility made it liable for the pipe failure. Ultimately, in resolution of this litigation circumstance and to enable the necessary stabilization work, CCWA purchased the 8415 Tara Boulevard parcel in 2023.</p> <p>For the City of Jonesboro, the City obtained an Order to Abate Public Nuisance in 2022 regarding the 8405 Tara Boulevard site. This order authorized the City to demolish the then-existing structure and to "repair the underlying cause of the sinkhole situated thereon."</p>		

Current Situation:

Since acquiring the 8415 Tara Boulevard site, CCWA has collaborated with internal staff and engineering consultants to develop a plan that will stabilize both parcels, restore them to greenspace, and return the underlying creek to an open channel. While this approach will preclude future development on the sites, it will effectively eliminate ongoing sinkhole risks and improve stormwater flow along this section of Tara Boulevard.

To date, CCWA has invested nearly a million dollars in the project and anticipates investing a couple of million more to complete the project. The project scope includes both the 8415 parcel (owned by CCWA) and the 8405 parcel, where the City holds court-authorized rights under the nuisance abatement order.

CCWA is now in the final stages of contractor procurement for construction (Bid No. 2025-SW-01). However, having joined CCWA in mid-2022, I realized that no formal agreement currently exists between CCWA and the City of Jonesboro granting CCWA legal authority to perform work on the 8405 Tara Boulevard site.

In short, the City holds the legal authority to address the underlying sinkhole issue at the 8405 Tara Boulevard site, and CCWA needs to formally operate under that authority to lawfully access and perform the proposed stormwater rehabilitation work on that property.

The Request:

Accordingly, CCWA respectfully requests to enter into a Memorandum of Agreement (MOA) with the City of Jonesboro that:

Formally authorizes CCWA to access and perform stormwater rehabilitation work at 8405 Tara Boulevard as a contractor or designee under the City's nuisance abatement authority; and

Provides a legal framework for the City and CCWA to work cooperatively throughout the project.

A draft of the proposed MOA is attached for your review and consideration. Also attached is a self-marked aerial image of the 8405 and 8415 Tara Boulevard sites to provide a general visual reference of the properties.

Additionally, given the Authority's investment in the project and its now long-term interest in maintaining the infrastructure, we will also respectfully request the City's support in foreclosing on any liens filed by CCWA against the 8405 Tara Boulevard property. These liens would reflect costs incurred in connection with this public improvement and the ongoing need to preserve it.

Next Steps:

After you've had a chance to review this letter and the attached draft MOA, I would greatly appreciate the opportunity to speak further. Please let me know a convenient time later this week or next week for a Teams meeting to discuss your thoughts and recommendations for moving forward with City approval of the agreement. Qiana, my paralegal, is copied here and can assist with coordinating a convenient time for us to connect.

Thank you in advance for your time and consideration. I look forward to reconnecting and working together once again.

General Counsel
Clayton County Water Authority

Fiscal Impact (Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Exhibits Attached (Provide copies of originals, number exhibits consecutively.)

- MOU Agreement and exhibits

Staff Recommendation: Recommending approval.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title	Date	
Signature	City Clerk's Office	