



Administrative Services Committee Meeting Committee Room- 8/24/2009- 12:50 PM

ADMINISTRATIVE SERVICES

1. Discussion for informational purposes the City's 2010-2014 Consolidated Plan and 2010 Action Plan for CDBG, ESG, HOME and HOPWA funds. ☐ [Attachments](#)
2. Approve an Ordinance providing for the demolition of certain unsafe and uninhabitable structures in the Turpin Hill Neighborhood: 1113 Sixth Avenue, (District 2, Super District 9); Meadowbrook Neighborhood: 3124 Ditmas Road, (District 4, Super District 9); Bethlehem Neighborhood: 2032 Fargo Street, (District 2, Super District 9); AND WAIVE 2ND READING. ☐ [Attachments](#)
3. Approve an Ordinance providing for the demolition of certain unsafe and uninhabitable structures in the East Augusta Neighborhood: 252 Japonica Avenue, (District 1, Super District 9); Olde Town Neighborhood: 137 Watkins Street, (District 1, Super District 9); Laney-Walker Neighborhood: 1125 Cecelia Street, 921 Dugas Street, 1119 Thirteenth Street, (District 1, Super District 9); Bethlehem Neighborhood: 1637 ½ Forest Street, 1255 Steiner Avenue, 1258 Steiner Avenue, 1260 Steiner Avenue, 1421 Monroe Street, 1528 Picquet Avenue, (District 2, Super District 9); Turpin Hill Neighborhood: 1677 Emory Street, (District 2, Super District 9); Harrisburg Neighborhood: 1825 Watkins Street, 1829 Watkins Street, (District 1, Super District 9); AND WAIVE 2ND READING. ☐ [Attachments](#)
4. Update from the DBE Coordinator regarding the Disparity Study. (Requested by Commissioner Hatney) ☐ [Attachments](#)
5. Executive Recommendation to Review Committee Structure pursuant to Augusta, Ga. Sec. 1-30 and for the Creation and Appointment of the Legal Administration, Ordinance and Resolution Committee. ☐ [Attachments](#)
6. Approve Wellness Facility Contract with Omni Health and Fitness. ☐ [Attachments](#)
7. Approve resolution authorizing the settlement of all Claims in a Personal Injury, Wrongful, Death and Survivorship Claim for Dr. Ji Cheng, Decedent. ☐ [Attachments](#)
8. Discuss process used in the stimulus package application and the refusal of Housing and Community Development personnel to supply public information. (Requested by Commissioner Hatney) ☐ [Attachments](#)



Administrative Services Committee Meeting

8/24/2009 12:50 PM

2010-2014 Consolidated Plan for City of Augusta, Housing and Community Development

Department: Housing and Community Development Department

Caption: Discussion for informational purposes the City's 2010-2014 Consolidated Plan and 2010 Action Plan for CDBG, ESG, HOME and HOPWA funds.

Background: The Consolidated Plan merges into one process and one document all the planning, application and performance reporting requirements of four HUD block grant programs; CDBG, ESG, HOME and HOPWA. The Consolidated Plan requires a jurisdiction to identify all of its housing and community development needs and then come up with a long-term strategy (5-years) for meeting those needs. Jurisdictions must develop a CP every five years and must update the plan annually with an Action Plan. The Action Plan describes all the activities that the city intends to fund with CDBG, ESG, HOME and HOPWA funds to carry out the goals set forth in the 5-year plan. The Year 2010-2014 plan will be the City's fourth CP since HUD mandated the requirement on January 5, 1995. This strategic plan contains three parts: (1) a housing, homeless, community and economic development needs assessment; (2) a housing market analysis; and (3) long-term strategies to meet priority needs. It also contains the Action Plan for Year 2010 which lists the projects that will be funded during Year 2010 to address the needs identified in the 5-year plan. On February 10, 2009, staff held a public hearing to obtain citizens input and solicit for proposals. Additionally, a needs assessment was conducted. As a result, AHCCD received 40 applications for CDBG funds, 10 applications for ESG funds, 5 applications for HOME funds and 2 applications for HOPWA funds with requests totaling \$4,035,807. Of the applications received, staff and the director met recommend the attached Year 2010 Proposed Budget for the City's 2010 Action Plan. If the proposed CP and AP are approved by Committee, in accordance with federal requirements, the City must hold a second Public Hearing and publish the CP and AP in the newspaper for a 30-day period to give citizens of Augusta an opportunity to comment. The public hearing will be held September 8, 2009, at 6:00 p.m. in Commission Chambers. At the end of the comment period (October 8, 2009), a summary of all comments received from the public will be presented to Committee on October 26, 2009 and Commission on November 3, 2009. Thereafter, the CP and AP will be sent to HUD for receipt by November 15, 2009. A listing of the 2010 Action Plan projects can be found on Page 62 and in Section VI.

Analysis: If the 2010 Consolidated Plan and 2010 Action Plan is acceptable to the Committee, staff will publish it in the newspapers Wednesday, August 26, 2009, along with a notice of the Public Hearing. These additional funds will enable the City to carry out the activities recommended for funding. A detailed description of each project being funded is listed in the Proposed CP on Page 62 and Section VI.

Financial Impact: It is anticipated the City will receive and have available the following funds for Year 2010, CDBG, ESG, HOME and HOPWA. Federal 2010 Entitlement Program Total \$ Program Allocation \$ Income \$ CDBG 2,262,309 150,000 2,412,309 ESG 99,412 0 99,412 HOME 1,378,855 1,000,000 2,378,855 HOPWA 398,640 0 398,640 TOTAL 2010 \$4,139,216 \$1,150,000 \$5,289,216

Alternatives: None Recommended.

Recommendation: Accept the Proposed Year 2010-2014 Consolidated Plan and Year 2010 Action Plan for CDBG, ESG, HOME and HOPWA funds as information, subject to citizen's comments. After the 30-day comment period, staff will return and present to Committee (October 26, 2009) and Commission (November 3, 2009) for action the Final version of the Consolidated Plan and Action Plan

Funds are Available in the Following Accounts: The funds are pending approval from HUD for this entitlement grant.

REVIEWED AND APPROVED BY:

Finance.
Law.
Administrator.
Clerk of Commission

2010 Community Development Block Grant Program

Proposed Budget

B-10-MC-13-0004

Proposed Allocation	Estimate
Entitlement Grant	2,262,309
Program Income	150,000
TOTAL	\$2,412,309

Proposed Projects		Amount
<i>Acquisition</i>		
Acquisition - HCD		400,000
<i>Public Facilities & Improvements</i>		
Augusta Mini Theatre - Security		22,000
<i>Clearance/Demolition</i>		
Clearance/Demolition - HCD		100,000
<i>Public Services(\$263,000)</i>		263,000
Art Factory		15,000
Augusta Mini Theatre		15,000
Augusta Urban Ministries		10,900
Augusta Youth Center		15,000
Boys & Girls Club		15,000
Caring Works (Maxwell House)		15,000
CSRA Business League		15,000
CSRA Economic Opportunity Authority - Transitional Housing		15,600
Coordinated Health Services - Respite		15,000
Coordinated Health Services - Clinic		15,000
East Augusta CDC - tutoring		10,500
Family Y		19,000
Golden Harvest Food Bank - Brown Bag Program		13,000
JWC Helping Hands		5,000
Kids Restart		10,000
MACH Academy		15,000
New Bethlehem Community Center		10,000
Promise Land CDC		10,000
Salvation Army		12,000
Senior Citizens Council		12,000
<i>Special Activity by CBDO 570.204</i>		
Housing Counseling		125,000
<i>Relocation</i>		
Relocation - HCD		111,000
<i>Privately Owned Utilities</i>		
Utility Connection Hardship Fund		40,847
<i>Rehabilitation - Residential</i>		
Housing Rehabilitation Program		600,000
Facade Rehabilitation Program - Central City		55,000
<i>Rehabilitation Historic Preservation - Non-Residential</i>		
Facade Rehabilitation Program- Inner City		55,000

CDBG continued

Proposed Projects		Amount
<i>Economic Development</i>		
Small Business Development /Recruitment		100,000
<i>Administration/Planning</i>		
Administration - \$475,462		480,462
Fair Housing - \$5,000		
<i>Unprogrammed Funds</i>		
Contingency		40,000
Total		\$2,412,309

2010 Emergency Shelter Grant Program
Proposed Budget
S-10-MC-13-0004

Proposed Allocation	Estimate
Entitlement Grant	99,412

Proposed Projects	Amount
Augusta Urban Ministries	11,000
CSRA Economic Opportunity Authority	14,000
Georgia Legal Services	10,000
Hope House	15,000
St. Stephens Ministry	12,030
Safe Homes	12,412
Salvation Army	20,000
Administration	4,970
Total	\$99,412

2010 HOME Investment Partnerships Program
Proposed Budget
M-10-MC-13-0206

Proposed Allocation	Estimate
Entitlement Grant	1,378,855
Program Income	1,000,000
TOTAL	\$2,378,855

Proposed Projects	Amount
Housing Redevelopment Initiative	1,934,140
CHDO Set-aside (15% minimum)	206,829
Administration (10% maximum)	237,886
Total	\$2,378,855

2010 Housing Opportunities for Persons with AIDS
Proposed Budget
GA-H-10-F002

Proposed Allocation	Estimate
Entitlement Grant	398,640

Proposed Projects	Amount
Hope Health	100,000
St. Stephens Ministry	286,681
Administration	11,959
Total	398,640



**Administrative Services Committee Meeting
8/24/2009 12:50 PM
Demolition of unsafe structures**

Department: License & Inspection

Caption: Approve an Ordinance providing for the demolition of certain unsafe and uninhabitable structures in the Turpin Hill Neighborhood: 1113 Sixth Avenue, (District 2, Super District 9); Meadowbrook Neighborhood: 3124 Ditmas Road, (District 4, Super District 9); Bethlehem Neighborhood: 2032 Fargo Street, (District 2, Super District 9); AND WAIVE 2ND READING.

Background: The approval of this ordinance will provide for the demolition of certain structures that have been determined to be dilapidated beyond repair and a public nuisance. The owners of the above referenced properties have been requested to correct the property maintenance violations. The violations were not corrected. By approving this ordinance the City will have the structures demolished, record a lien against the property in the amount of the costs incurred, and send the property owners a bill for payment that is due within 30 days of receipt.

Analysis: Continuing the removal of dilapidated structures will signal to the public that neglected, unsafe and uninhabitable structures will not be allowed and that property owners will be held responsible for their properties.

Financial Impact: The average total cost associated with the demolition of each property will be approximately \$5,200.00. This includes the title search, asbestos survey, and demolition.

Alternatives: Allow the unsafe structures to remain and continue to have a negative impact on the neighborhoods and City.

Recommendation: Approval

Funds are Available in the Following Accounts: FUNDS ARE AVAILABLE IN THE FOLLOWING ACCOUNT: Account # 220-07-2912 / 5212999

REVIEWED AND APPROVED BY:

Finance.
Law.
Administrator.
Clerk of Commission

ORDINANCE NO. _____

ORDINANCE TO PROCEED WITH DEMOLITION AND REMOVAL OF THE STRUCTURES ON PROPERTY LOCATED AT: 1113 SIXTH AVENUE, 3124 DITMAS ROAD, AND 2032 FARGO STREET.

TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE AUGUSTA-RICHMOND COUNTY COMMISSION AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME AS FOLLOWS:

Section I. That the following properties have been identified by the Director of the Augusta – Richmond County License and Inspection Department as unfit for human habitation (or unfit for its current commercial or business use) and the cost of repair, alteration or improvement of said properties exceeds one-half the value of property and that the said Director shall cause the structures located on hereinafter described property to be demolished and removed as ordered by Augusta-Richmond County Magistrate Court; and that said Director shall cause the costs of such removal and demolition for said property be entered upon the lien docket maintained in the office of Clerk of Augusta - Richmond County Commission and said Director shall otherwise proceed to effectuate the purpose of O.C.G.A. SS 41-2-7 through 41-2-17 with respect to said property, to-wit:

- 1113 SIXTH AVENUE, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 72-2 as Parcel 411.
- 3124 DITMAS ROAD, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 107 as Parcel 8.
- 2032 FARGO STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 72-2 as Parcel 143.

Section II. This Ordinance shall become effective upon adoption.

Section III. That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Duly adopted this _____ day of _____, 2009

MAYOR _____

ATTEST: _____
CLERK OF COMMISSION



**Administrative Services Committee Meeting
8/24/2009 12:50 PM
Demolition of unsafe structures**

Department:	License & Inspection
Caption:	Approve an Ordinance providing for the demolition of certain unsafe and uninhabitable structures in the East Augusta Neighborhood: 252 Japonica Avenue, (District 1, Super District 9); Olde Town Neighborhood: 137 Watkins Street, (District 1, Super District 9); Laney-Walker Neighborhood: 1125 Cecelia Street, 921 Dugas Street, 1119 Thirteenth Street, (District 1, Super District 9); Bethlehem Neighborhood: 1637 ½ Forest Street, 1255 Steiner Avenue, 1258 Steiner Avenue, 1260 Steiner Avenue, 1421 Monroe Street, 1528 Picquet Avenue, (District 2, Super District 9); Turpin Hill Neighborhood: 1677 Emory Street, (District 2, Super District 9); Harrisburg Neighborhood: 1825 Watkins Street, 1829 Watkins Street, (District 1, Super District 9); AND WAIVE 2ND READING.
Background:	The approval of this ordinance will provide for the demolition of certain structures that have been determined to be dilapidated beyond repair and a public nuisance. The owners of the above referenced properties have been requested to correct the property maintenance violations. The violations were not corrected. By approving this ordinance the City will have the structures demolished, record a lien against the property in the amount of the costs incurred, and send the property owners a bill for payment that is due within 30 days of receipt.
Analysis:	Continuing the removal of dilapidated structures will signal to the public that neglected, unsafe and uninhabitable structures will not be allowed and that property owners will be held responsible for their properties.
Financial Impact:	The average total cost associated with the demolition of each property will be approximately \$5,200.00. This includes the title search, asbestos survey, and demolition.
Alternatives:	Allow the unsafe structures to remain and continue to have a negative impact on the neighborhoods and City.
Recommendation:	Approval
Funds are Available in the Following Accounts:	FUNDS ARE AVAILABLE IN THE FOLLOWING ACCOUNT: Account # 101072910 / 5212999

REVIEWED AND APPROVED BY:

Finance.

Law.

Administrator.

Clerk of Commission

ORDINANCE NO. _____

ORDINANCE TO PROCEED WITH DEMOLITION AND REMOVAL OF THE STRUCTURES ON PROPERTY LOCATED AT: 252 JAPONICA AVENUE, 137 WATKINS STREET, 1125 CECELIA STREET, 921 DUGAS STREET, 1119 THIRTEENTH STREET, 1637 ½ FOREST STREET, 1255 STEINER AVENUE, 1258 STEINER AVENUE, 1260 STEINER AVENUE, 1421 MONROE STREET, 1528 PICQUET AVENUE, 1677 EMORY STREET, 1825 WATKINS STREET, AND 1829 WATKINS STREET.

TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE AUGUSTA-RICHMOND COUNTY COMMISSION AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME AS FOLLOWS:

Section I. That the following properties have been identified by the Director of the Augusta – Richmond County License and Inspection Department as unfit for human habitation (or unfit for its current commercial or business use) and the cost of repair, alteration or improvement of said properties exceeds one-half the value of property and that the said Director shall cause the structures located on hereinafter described property to be demolished and removed as ordered by Augusta-Richmond County Magistrate Court; and that said Director shall cause the costs of such removal and demolition for said property be entered upon the lien docket maintained in the office of Clerk of Augusta - Richmond County Commission and said Director shall otherwise proceed to effectuate the purpose of O.C.G.A. SS 41-2-7 through 41-2-17 with respect to said property, to-wit:

- 252 JAPONICA AVENUE, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 61-1 as Parcel 104.
- 137 WATKINS STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 47-4 as Parcel 396.
- 1125 CECELIA STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 46-4 as Parcel 679.0
- 921 DUGAS STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 46-4 as Parcel 339.
- 1119 THIRTEENTH STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 46-3 as Parcel 80.
- 1637 ½ FOREST STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 59-3 as Parcel 131.
- 1255 STEINER AVENUE, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 59-3 as Parcel 85.
- 1258 STEINER AVENUE, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 59-3 as Parcel 176.

- 1260 STEINER AVENUE, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 59-2 as Parcel 177.
- 1421 MONROE STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 59-1 as Parcel 267.
- 1528 PICQUET AVENUE, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 59-4 as Parcel 3.
- 1677 EMORY STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 58-3 as Parcel 79.
- 1825 WATKINS STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 35-4 as Parcel 10.
- 1829 WATKINS STREET, Augusta – Richmond County, Georgia, identified on Augusta-Richmond County Tax Map 35-4 as Parcel 9.

Section II. This Ordinance shall become effective upon adoption.

Section III. That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Duly adopted this _____ day of _____, 2009

MAYOR _____

ATTEST: _____
CLERK OF COMMISSION



**Administrative Services Committee Meeting
8/24/2009 12:50 PM
Disparity Study**

Department: Clerk of Commission

Caption: Update from the DBE Coordinator regarding the Disparity Study.
(Requested by Commissioner Hatney)

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available in
the Following
Accounts:**

REVIEWED AND APPROVED BY:

Clerk of Commission



**Administrative Services Committee Meeting
8/24/2009 12:50 PM**

Executive Recomm. to Review Committee Structure and Creation of Legal Administration, Ordinance and Resolution Committee

Department:	Law
Caption:	Executive Recommendation to Review Committee Structure pursuant to Augusta, Ga. Sec. 1-30 and for the Creation and Appointment of the Legal Administration, Ordinance and Resolution Committee.
Background:	Augusta Code provides for the ARC Committee Structure, however, a legal administration, ordinance and resolution committee is lacking despite a commission policy that the committee structure be used to evaluate code amendments. This committee is one typically used in local government and will evaluate resolutions, ordinances and create efficiency in the administration of the legal needs of ARC.
Analysis:	The Legal Administration, Ordinance and Resolution Committee will be comprised of 4 persons, the Mayor, Mayor Pro Tem and Super District Commissioners. If there is a Mayor Pro Tem and the Super District Commissioner is the same person, the mayor shall appoint the fourth member of the committee. The Committee shall follow all the rules that govern the existing committees of the ARC.
Financial Impact:	No additional costs to ARC.
Alternatives:	Decline to approve evaluation of committee structure and creation of new Legal Administration, Ordinance and Resolution Committee.
Recommendation:	Approve the evaluation and creation of the new committee, as with other local governments.
Funds are Available in the Following Accounts:	N/A

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**



**Administrative Services Committee Meeting
8/24/2009 12:50 PM
Omni Health and Fitness**

Department: Human Resources

Caption: Approve Wellness Facility Contract with Omni Health and Fitness.

Background: Augusta employees are encouraged to be fit and stay healthy. In our continuing efforts to provide employees with optimum and affordable benefits all full-time employees are eligible to enroll in the approved Wellness Center. Currently over 750 employees are enrolled in Health Central's wellness program. It is the goal of the Human Resources Department to increase this number with the implementation of additional wellness programs. Employees may be eligible to receive 100% reimbursement monthly, depending on the number of visits each month.

Analysis: Omni Health and Fitness submitted a proposal to enter into similar agreements as other wellness facilities (Health Central, Family Y) employee may attend. The addition of this new facility assists in the goal of increased participation by affording employees a choice. Omni has two facilities in the area employees can attend.

Financial Impact:

Alternatives: Do Not Approve Wellness Facility Contract with Omni Health and Fitness.

Recommendation: Approve Wellness Facility Contract with Omni Health and Fitness.

**Funds are Available in
the Following
Accounts:**

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**

OMNI HEALTH AND FITNESS WELLNESS PROGRAM PROPOSAL FOR RICHMOND COUNTY EMPLOYEES

Wellness programs can benefit your company in many ways. By encouraging a healthy lifestyle, employers benefit from reduced absenteeism, lower health and insurance costs, and higher levels of job performance. Additional benefits include improved employee morale and work relationships, a reduction in stress, and fewer workplace injuries. We at The Omni want to provide you with the tools you need to make the Richmond County Employees wellness program a success.

We understand that the biggest hurdle to overcome on your employees' path to good health is establishing a routine that agrees with their busy schedule. There are many reasons people struggle when trying to engage in a fitness program. Lack of time, lack of knowledge, and being intimidated by the health club environment are very common reasons for not following through. We have many features to try to minimize or eliminate these particular concerns.

The Omni is open twenty-four hours a day, Monday through Friday, 8:00 AM to 8:00 PM Saturday, and 10:00 AM to 6:00 PM on Sunday. We have staffed child care services available seven days a week with organized games and fitness related activities to keep your children active as well. Your employees will have access to both of our facilities; one is conveniently located in the heart of Augusta, about two blocks from Best Buy at 3637 Walton Way Extension, and the other is in Evans at 4408 Evans to Lock Road a block from Lowes Hardware.

There are many positive and negative factors or behaviors that affect your training progress. How to eat, how often should you work out, and what is the correct way to perform a given exercise are some of the many questions your employees may have. Our staff is well educated and experienced with exercise and nutrition. We also have the most successful personal training program in Augusta. This is a great tool for someone who has preexisting injuries, is training for a specific goal or just wants maximum results in the least amount of time possible. Our personal training packages include everything you need, from your workout routine to your nutrition plan, to make your program a success.

Group fitness classes offer variety to your employees' workout and give them the support they need to reach their goals. The Omni Club has over 100 group fitness classes every week made up of almost thirty different class types. We print out a new class schedule each month and there are no additional fees or sign up required to participate.

The Omni Club has complete equipment lines from Life Fitness, Hammer Strength, and Free Motion, and over 4000 square feet of free weights at each location. We have a broad selection of cardiovascular training machines including treadmills, ellipticals, stair climbers, stationary bikes, and rowing machines. All of our cardio equipment at our Evans location is equipped with Cardio Theater with cable television.

I have included your corporate rates on the following page. Thank you very much for the opportunity to earn your business.

MEMBERSHIP RATE STRUCTURE

- 12 Month, Monthly: \$32.00 a month
- 12 Month Family add on: \$25.00 a month per person
(Husband, Wife or child under 21 in one house hold)
- 12 Month Family Membership:\$79.00 a month (+\$47)
(The family membership includes all family members in one house hold)
- No Join Fees

STANDARD MEMBERSHIP RATES

- 12 Month Monthly: \$179.00 to join and \$49.00 a month
- Family Add On: \$79.00 to join and \$32.00 a month
- Family Membership: \$199.00 to join and \$79.00 a month

Lance Smith

General Manager
Omni Health and Fitness
3637 Walton Way Extension
Augusta, GA 30909
706-481-0502



Richmond County Employee Benefits Include:

- *24 Hour service Monday through Friday. 8am to 8pm Sat and 10am to 6pm Sun**
- *Access to BOTH Walton Way and Evans clubs. That's over 70,000 square feet of fitness!**
- *Over 100 Group Fitness classes every week at no extra charge.**
- *Separate & private all inclusive LADIES ONLY fitness center (Walton Way)**
- *Changing rooms include saunas, steam rooms, executive lounge areas with plasma screen TVs, massage chairs and pool tables. (Evans location)**
- * We have complete fitness equipment lines from Life Fitness, Hammer Strength, and Free Motion. Both clubs also boast expansive free weight areas.**
- *We have a wide variety of personal training packages available. Ask us about our POWER PLATE training sessions! All of our personal training packages include nutritional consultation and custom meal plan design. Omni has the most successful training program in Augusta!**
- *Over 80 pieces of cardio equipment at each location including Cycles, Ellipticals, Treadmills, Stair Masters, and much more. Our Evans location has Cardio Theater with Cable on every cardio piece.**
- *Separate spin rooms for cycle classes at both locations.**
- *Complimentary towel service.**
- *Child care is available 7 days a week.**

Please call me at 706-481-0502 for a personal tour of our facility!

**Lance Smith
General Manager
Omni Health and Fitness
3637 Walton Way Ext
Augusta, GA 30909**

**STATE OF GEORGIA
COUNTY OF RICHMOND**

AGREEMENT

This **AGREEMENT** entered into on this ____ day of _____ 2009, by and between **AUGUSTA, GEORGIA**, a political subdivision of the State of Georgia, (hereinafter referred to as "**Augusta**"), and **Omni Health and Fitness Center**, located at 3637 Walton Way Extension, Augusta, GA 30909 (hereinafter referred to as "**The Gym**").

This **AGREEMENT** shall commence upon execution, for a period of one (1) year and automatically renew on January 1st of each year, unless a sixty day written notice to terminate has been given by either party. Provided proper notice has been given, this **AGREEMENT** shall terminate on December 31st of each year.

WITNESSETH

WHEREAS, Augusta seeks to promote health and fitness to its employees; and,

WHEREAS, The Gym is in the business of providing fitness, health and wellness programs; and,

WHEREAS, The Gym desires to provide fitness, health and wellness programs to **Augusta's** employees.

NOW THEREFORE, in and for consideration of the following conditions and mutual benefits to the parties, the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. **The Gym** agrees to provide full access to its fitness facilities to any Augusta employee desiring such access. Said access shall include all local branches.

2. **The Gym** agrees to enter into a binding agreement with any employee desiring access and agrees to hold said employee solely liable for any and all monies due under the agreement.
3. **The Gym** acknowledges that Augusta at no time shall be responsible for payment to the Gym for any employee's usage of the Gym's facilities.
4. **The Gym** agrees to provide said service to Augusta's Employee with no joining fees and at a monthly rate of \$32.00 dollars per month for 12 months for each general employee desiring membership. In addition, The Gym agrees to allow each member of the employee's household, which includes husband, wife, or child under 21, to join The Gym at the rate of \$25.00 dollars per month for 12 months. The Gym also agrees to allow all family members of the employee's household, which includes husband, wife, and/or children under 21, to join The Gym at \$79.00 per month for 12 months (or \$47.00 per month in addition to the general employee membership rate of \$32 per month for 12 months).
5. **The Gym** acknowledges that they are to collect all monies due from non-Augusta employees directly from the individual, with the non-employee being solely liable to the Gym for payment.
6. **Augusta** agrees as a courtesy and for convenience, to deduct from its employee payroll, all monies due to The Gym for employee memberships on semi-monthly basis, and to provide The Gym with one monthly payment upon submission to Augusta of a monthly log of all employees accessing The Gym's facilities for the previous month. Said log shall include the employees name and an accurate count

of the number of times the employee used The Gym's facilities for the previous calendar month.

7. **The Gym** hereby agrees to submit the monthly log to Augusta no later than the 5th day of each month as an expressed condition precedent to any payment by Augusta.

It is further agreed that:

8. Each employee prior to purchasing a membership, must show proof of employment with **Augusta** and provide **The Gym** with a copy of a completed payroll deduction form filed with **Augusta's** Human Resource Department.
9. **The Gym** agrees to provide **Augusta** employees with a one year membership period which can be cancelled in October each year during annual benefits enrollment with the cancellation being effective on January 1st of the following year. Thirty (30) days written notice must be given to effect said cancellation.
10. An employee's termination of employment with **Augusta** will have no effect upon the employees' contract with **The Gym** until the individuals' renewal date. However, upon such termination, **The Gym** shall collect all monies owed directly from said individual with no recourse against **Augusta**.
11. Unless otherwise specifically provided for in this agreement all fees are non-refundable and all obligations for payment of fees are absolute.
12. All payments under this agreement shall be made to:

_____, unless **The Gym**

notifies **Augusta** in writing to make payments to a different address or payee.

Payments are due only upon timely receipt of monthly log.

13. All notice, requests or other communications hereunder, other than payment, shall be sufficiently given and shall be deemed given when mailed by regular mail, postage prepaid, addressed to the Notice Address set out below or notice designate for the receipt of subsequent notices, requests or other communications.

Notice Address of Omni:

Lance Smith, General Manager
3637 Walton Way Extension
Augusta, Georgia 30909

Notice Address of Augusta:

Augusta Richmond County
City Administrator
Fred Russell
530 Green Street
Augusta, Georgia 30911

14. If any part of this Agreement is found to be invalid or unenforceable, the remainder of the Agreement will be valid and enforceable.
15. This Agreement embodies the entire Agreement of the parties hereto and shall not be altered, changed or modified in any respect, other than as provided for with respect to the Rules and Regulations of Membership, except in writing, signed by both parties.
16. This Agreement and Membership Contracts hereunder shall be construed under the laws of the State of Georgia. The parties through the execution of this agreement specifically consent to jurisdiction in the Superior Court of Richmond County, Georgia and waive any right to contest venue and jurisdiction.
17. **The Gym** acknowledge that all records relating to this agreement and the services under the contract may be a public record subject to Georgia's Open Record Act (O.C.G.A. § 50-18-70, et seq.). **The Gym** agrees to cooperate fully in responding

to such request and making all records, not exempt, available for inspection and copying as provided by law.

IN WITNESS WHEREOF, the parties hereto have signed, sealed, and delivered this agreement effective the day and year first written above.

AUGUSTA, GEORGIA

OMNI HEALTH AND FITNESS

Mayor

Title:

Attest: _____

Attest: _____

Clerk

Title: _____



**Administrative Services Committee Meeting
8/24/2009 12:50 PM
Resolution Authorizing the Settlement of Dr. Ji Cheng, Decedent**

Department: Administrative Services

Caption: Approve resolution authorizing the settlement of all Claims in a Personal Injury, Wrongful, Death and Survivorship Claim for Dr. Ji Cheng, Decedent.

Background: See attached Resolution.

Analysis: General Counsel considers it to be in the best interests of Augusta-Richmond County to resolve this matter and recommends that pay the Claimant to settle all claims of Claimant against Augusta-Richmond County arising out of the alleged facts.

Financial Impact: The County Administrator is authorized to pay a total sum of Four Hundred and Ten Thousand Dollars to Mr. Chaohui Wu, individually, and as Administrator of the Estate of Dr Ji Cheng and his legal representative at the direction of the General Counsel.

Alternatives: Deny Resolution

Recommendation: Approve Resolution

Funds are Available in the Following Accounts: to be appropriated from Reserve of Extraordinary losses - dbw

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**

RESOLUTION

RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN A PERSONAL INJURY, WRONGFUL DEATH AND SURVIVORSHIP CLAIM FOR DR. JI CHENG, DECEDENT, IN THE AGGREGATE AMOUNT OF FOUR HUNDRED AND TEN THOUSAND DOLLARS (\$410,000.00); AUTHORIZING THE COUNTY ADMINISTRATOR TO DISBURSE THE AMOUNT OF \$410,000.00; WAIVING AUGUSTA-RICHMOND COUNTY CODE OF ORDINANCES SECTIONS IN CONFLICT FOR THIS INSTANCE ONLY; AND FOR OTHER PURPOSES.

WHEREAS, On March 10, 2008, an Augusta City-County Transit Authority bus driver, Albert Smith, collided with Dr. Cheng, decedent, in a motor vehicle accident, (the accident”); and

WHEREAS, decedent was a pedestrian in or near the cross walk of the intersection of Fifteenth Street and Laney Walker Boulevard, Augusta, Richmond County, Georgia, at the time of said accident;

WHEREAS, said driver, while acting in the course and scope of his employment, is alleged to have negligently failed to see decedent as he entered the intersection and struck the decedent;

WHEREAS, decedent died as a result of injuries she received in the accident;

WHEREAS, decedent is believed to have experienced pain and suffering and her estate has incurred medical bills, funeral expenses, and attendant expenses as a result of the accident;

WHEREAS, Claimant, decedent’s widower and surviving spouse, seeks damages for loss of consortium and the full value of the life of the decedent, and damages for claims of nuisance, negligent hiring, retention and supervision;

WHEREAS, Claimant, Mr. Chaohui Wu, individually, and as Administrator of the Estate of Dr. Ji. Cheng, through his legal representative, has timely submitted notice pursuant to O.C.G.A. §§ 36-11-1 and 36-33-5;

WHEREAS, Claimant has agreed to settle all claims and potential claims against the consolidated government of Augusta-Richmond County, its officers, employees, successors and agents, the Augusta City-County Transit Authority, and Albert Smith, for the sum of \$410,000.00 for any and all claims arising out of the accident referenced herein;

WHEREAS, Claimant has agreed to indemnify and hold harmless the consolidated government of Augusta-Richmond County, its officers, employees, successors and agents, the Augusta City-County Transit Authority, and Albert Smith, for

Resolution – Dr. Ji Cheng

any and all claims which may be brought by any other parties arising out of the accident referenced herein;

WHEREAS, the General Counsel considers it to be in the best interests of Augusta-Richmond County to resolve this matter and recommends that it pay the amount of Four Hundred and Ten Thousand Dollars (\$410,000.00) to Claimant to settle all claims of Claimant against Augusta-Richmond County arising out of the alleged facts;

WHEREAS, Augusta-Richmond County, Augusta-Richmond County Transit Authority, and Augusta-Richmond County Transit Authority bus driver Albert Smith admit no liability;

NOW, THEREFORE, BE IT RESOLVED by the Augusta-Richmond County Commission

Section 1: The Augusta-Richmond County Commission will settle the claims of Mr. Chaohui Wu, individually, and as Administrator of the Estate of Dr. Ji. Cheng for the aggregate amount of Four Hundred and Ten Thousand Dollars (\$410,000.00).

Section 2: The County Administrator is authorized to pay a total sum of Four Hundred and Ten Thousand Dollars (\$410,000.00) to Mr. Chaohui Wu, individually, and as Administrator of the Estate of Dr. Ji. Cheng and his legal representative at the direction of the General Counsel from the account of 6110152135523273. Payment shall be in the form of a check payable to Chaohui Wu and his legal representative.

Section 3: To the extent that any section of the AUGUSTA CODE is in conflict herewith, that subsection is waived for this instance only.

Adopted this ____ day of August, 2009.

David S. Copenhaver
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission

Seal:

Certification
Resolution – Dr. Ji Cheng

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Resolution was duly adopted by the Augusta-Richmond County Commission on August __, 2009 and that such Resolution has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Resolution which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission



**Administrative Services Committee Meeting
8/24/2009 12:50 PM
Stimulus Package Application**

Department: Clerk of Commission

Caption: Discuss process used in the stimulus package application and the refusal of Housing and Community Development personnel to supply public information. (Requested by Commissioner Hatney)

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available in
the Following
Accounts:**

REVIEWED AND APPROVED BY:

Clerk of Commission