

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

May 5, 2008

CALL TO PODIUM:

Tony Tomasello, Assistant City Manager

RESPONSIBLE STAFF:

Tony Tomasello, Assistant City Manager
Cindy Hines, Olde Towne Coordinator

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	4-9-2008
Hearing Date	4-21-08
Record Held Open	5-1-08
Policy Discussion	

TITLE:

Resolution of the Mayor and City Council Declaring as Surplus Four City-Owned Parcels in the Olde Towne Central Business District and Authorizing the City Manager to Dispose of the Property by Direct Negotiations

SUPPORTING BACKGROUND:

Under consideration for disposition are four parcels more fully described as:

Parcel N035, located at 315 East Diamond Avenue, consists of 33,381 square feet of land. The property is legally described as "PL10865 Fishmans Sub" and commonly known as the "Fishman site."

Parcel P038, located on South Summit Avenue, consists of 52,272 square feet of land. The property is legally described as "NE corner railroad station & Summit Avenue" and commonly known as "Olde Towne Park."

Parcel P117, located on South Frederick Avenue, consists of 84,956 square feet of land. The property is legally described as "Y lot west of station art/merger" and commonly known as the "Y site."

Parcel N118, located on Fulks Corner Avenue (formerly East Cedar Avenue), consists of 23,193 square feet of land. The property is legally described as "Maddox Addition Gaithersburg" and commonly known as the "Schultz site."

All parcels are currently in the CBD (Central Business District) Zone. In regard to parcels N035, P038, and P117, a portion of the properties will be retained by the City.

Pursuant to State law, the City conducted a surplus land hearing on April 21, 2008. The record of that hearing closed on May 1, 2008 and one letter of support was received.

DESIRED OUTCOME:

Vote on Resolution.

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL DECLARING AS SURPLUS
FOUR CITY-OWNED PARCELS IN THE OLDE TOWNE CENTRAL BUSINESS
DISTRICT AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF THE
PROPERTIES BY DIRECT NEGOTIATIONS

WHEREAS, the City Manager has made a preliminary determination that the properties, consisting of Parcels N035, P038, P117, and N118, are not needed for public use and should be declared surplus; and

WHEREAS, a portion of parcels N035, P038, and P117 will be retained by the City;
and

WHEREAS, a public hearing was held on April 21, 2008 to provide the public with an opportunity to offer input in regard to the disposition of the properties and whether the properties should be declared surplus; and

WHEREAS, the Mayor and City Council herein determine that the properties should be declared surplus; and,

WHEREAS, the Mayor and City Council have determined that it is in the public interest to authorize the City Manager to directly negotiate the sale of the properties:

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to immediately negotiate, and thereafter, execute a contract of sale to dispose of the aforementioned properties.

ADOPTED by the City Council on this 5th day of May, 2008

SIDNEY A. KATZ, Mayor and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in public meeting assembled on the 5th day
of May, 2008.

James Arnoult, Acting City Manager