

1 A RESOLUTION APPROVING AN UNDERGROUND DISTRIBUTION
2 CONSTRUCTION AGREEMENT AND RELEASE FOR CONSTRUCTION
3 AGREEMENT BETWEEN FULTON COUNTY, GEORGIA AND THE GEORGIA
4 POWER COMPANY FOR THE PURPOSE OF COMPLETING PLANNED
5 RENOVATIONS AND NEW CONSTRUCTION AT THE OAK HILL CHILD,
6 ADOLESCENT AND FAMILY CENTER LOCATED AT 2805 METROPOLITAN
7 PARKWAY, SW, ATLANTA, GEORGIA 30315; TO AUTHORIZE THE CHAIRMAN TO
8 EXECUTE THE UNDERGROUND DISTRIBUTION CONSTRUCTION AGREEMENT
9 AND RELEASE FOR CONSTRUCTION AGREEMENT AND RELATED DOCUMENTS;
10 TO AUTHORIZE THE COUNTY ATTORNEY TO APPROVE THE UNDERGROUND
11 DISTRIBUTION CONSTRUCTION AGREEMENT AND RELEASE FOR
12 CONSTRUCTION AGREEMENT AND RELATED DOCUMENTS AS TO FORM AND
13 TO MAKE MODIFICATIONS AS NECESSARY TO PROTECT THE COUNTY'S
14 INTEREST PRIOR TO EXECUTION; AND FOR OTHER PURPOSES.

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16 **WHEREAS**, Fulton County, Georgia ("Fulton County") is a political subdivision of
17 the State of Georgia, existing as such under and by the Constitution, statutes, and laws
18 of the State; and

19 **WHEREAS**, the Fulton County Department of Health and Human services
20 operates multiple healthcare facilities throughout Fulton County that offer a wide array
21 of programming for Fulton County residents including behavioral health services; and

22 **WHEREAS**, the Fulton County Department of Real Estate and Asset
23 Management ("DREAM") has been tasked to complete renovations and new
24 construction onsite at the Oak Hill Child, Adolescent, & Family Center; and

25 **WHEREAS**, it has been determined by the Georgia Power Company ("GPC")
26 and DREAM that an Underground Distribution Construction Agreement and Release for
27 Construction Agreement is required prior to the installation of new electrical service
28 lines that are necessary to complete the planned new construction and renovations; and

29 **WHEREAS**, DREAM recommends approval of the granting of an Underground
30 Distribution Construction Agreement and Release for Construction Agreement with GPC
31 at the Oak Hill Child, Adolescent, & Family Center in substantially the form of Exhibit "A"
32 and "B", attached hereto; and

1 **WHEREAS**, pursuant to O.C.G.A. § 36-10-1, “[a]ll contracts entered into by the
2 county governing authority with other persons in behalf of the county shall be in writing
3 and entered on its minutes”; and

4 **WHEREAS**, pursuant to Fulton County Code § 1-117, the Board of
5 Commissioners has exclusive jurisdiction and control over all property of the County.

6 **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of
7 Fulton County, Georgia, hereby approves of the execution of Underground Distribution
8 Construction Agreement and Release for Construction Agreement between Fulton
9 County to the Georgia Power Company, as more particularly described in Exhibit “A”
10 and “B” attached hereto.

11 **BE IT FURTHER RESOLVED**, that the Chairman of Fulton County Board of
12 Commissioners is authorized to execute and deliver the Underground Distribution
13 Construction Agreement and Release for Construction Agreement and other necessary
14 documents to the Georgia Power Company to complete the installation of new electrical
15 service lines that are necessary to complete the planned new construction and
16 renovations at the Oak Hill Child, Adolescent, & Family Center.

17 **BE IT FURTHER RESOLVED** that prior to execution of any documents, the
18 County Attorney shall approve the documents as to form and make necessary changes
19 thereto to protect the County’s interests.

20 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
21 adoption and that all resolutions and parts of resolutions in conflict with this Resolution
22 are hereby repealed to the extent of such conflict.

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SO PASSED AND ADOPTED, this 6th day of March, 2024.

**FULTON COUNTY
BOARD OF COMMISSIONERS**

Robert L. Pitts, Chairman

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney

EXHIBIT "A"
Underground Distribution Construction Agreement

EXHIBIT "B"
Release for Construction Agreement