

1 **A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN**
2 **FULTON COUNTY, GEORGIA AND THE CITY OF JOHNS CREEK, GEORGIA**
3 **ESTABLISHING A SELECTION PANEL AND COMMISSIONING PUBLIC ARTWORK**
4 **UTILIZING STEEL AVAILABLE FROM THE HISTORIC ROGERS BRIDGE;**
5 **AUTHORIZING THE CHAIRMAN TO EXECUTE THE INTERGOVERNMENTAL**
6 **AGREEMENT; AUTHORIZING THE COUNTY ATTORNEY TO APPROVE THE**
7 **INTERGOVERNMENTAL AGREEMENT AS TO FORM AND TO MAKE CHANGES**
8 **THERETO PRIOR TO EXECUTION; AND FOR OTHER PURPOSES.**

9 **WHEREAS**, Fulton County, Georgia (“County”), is a political subdivision of the
10 State of Georgia; and

11 **WHEREAS**, the City of Johns Creek (“City”) is a municipal corporation chartered
12 by the State of Georgia; and

13 **WHEREAS**, on December 4, 2019 (via Agenda Item # 19-0986), the County and
14 City entered into an Intergovernmental Agreement, along with the City of Duluth and
15 Gwinnett County, for the replacement of the historic Rogers Bridge; and

16 **WHEREAS**, as part of the creation of the new bridge and public walking trail over
17 the Chattahoochee River, the historic Rogers Bridge was removed in October 2021; and

18 **WHEREAS**, the County and City desire to partner to create art by one or more
19 artists for public display to ensure the steel from the historic Rogers Bridge, a critical part
20 of Fulton County’s and Johns Creek’s history, is preserved and enjoyed by future
21 generations; and

22 **WHEREAS**, a Public Art Selection Panel will be established to screen and select
23 the artists and identify potential sites; and

24 **WHEREAS**, the Public Art Selection Panel will consist of both voting and non-
25 voting members: the voting members will include one elected official from the Fulton
26 County Board of Commissioners and one elected official from the John’s Creek City
27 Council; and

28 **WHEREAS**, the non-voting members will include representatives from the Fulton
29 County Arts Council, art professionals, staff from relevant departments of each party and
30 community representatives; and

31 **WHEREAS**, the Fulton County Arts Council and Department of Arts & Culture have
32 experience and expertise in selecting artists for public art projects and will fulfill many of
33 the County’s obligations in the Intergovernmental Agreement; and

34 **WHEREAS**, via Agenda Item 22-0050, the Fulton County Board of Commissioners
35 allocated \$150,000.00 toward the creation of public art from the historic Rogers Bridge

1 steel as part of the County Department of Arts & Culture’s adopted Fiscal Year 2022
2 budget; and

3 **WHEREAS**, the City has allocated \$50,000.00 of Tourism Product Development
4 funds for the creation of public art from historic Rogers Bridge steel as part of the City’s
5 Fiscal Year 2022 budget and is contributing the steel that will be used in the artwork; and

6 **WHEREAS**, at the conclusion of the artwork to be placed at or near the historic
7 Rogers Bridge site (“the Primary Commission”), the County and City will enter into a fifty-
8 year Intergovernmental Visual Art Loan Agreement for the maintenance and upkeep of
9 the Primary Commission; and

10 **WHEREAS**, additional pieces of artwork may be commissioned from the Rogers
11 Bridge steel if there are remaining funds and materials to support additional pieces; and

12 **WHEREAS**, Article IX, Section III, Paragraph I, of the Georgia Constitution
13 provides that any county or municipality of the State of Georgia may contract for any
14 period not exceeding 50 years, with each other or with any other public agency, public
15 corporation, or public authority for the provision of services, or for the joint or separate
16 use of facilities or equipment when such contracts deal with activities, services, or
17 facilities which the contracting parties are authorized by law to undertake or provide.

18 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of
19 Commissioners hereby approves the Intergovernmental Agreement between Fulton
20 County and the City of Johns Creek, attached hereto in substantial form as Attachment
21 “A,” to establish a Public Art Selection Panel and to commission public artwork from the
22 steel of the historic Rogers Bridge.

23 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners
24 is hereby authorized to execute the Intergovernmental Agreement with the City of Johns
25 Creek, Georgia after the same is approved as to form by the County Attorney, who shall
26 make any necessary modifications thereof prior to execution.

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

30 **SO PASSED AND ADOPTED**, this ____day of _____, 2022.

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**FULTON COUNTY BOARD
OF COMMISSIONERS**

SPONSORED BY:

Vice-Chair Liz Hausmann
District 1

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM

Y. Soo Jo
County Attorney

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Rogers Bridge Public Artwork.docx