

1 A RESOLUTION AMENDING RESOLUTION #22-0546 TO AUTHORIZE THE  
2 DONATION OF \$500,000.00 TO THE ATLANTA TECHNICAL COLLEGE  
3 FOUNDATION, INC. (“THE ATC FOUNDATION”) INSTEAD OF THE ATLANTA  
4 TECHNICAL COLLEGE (“ATC”) TO REFLECT THE DONATION TO THE  
5 FOUNDATION TO SUPPORT ATC’S EXPANSION OF ITS COMMERCIAL DRIVER’S  
6 LICENSE PROGRAM (THE “PROGRAM”) IN FULTON COUNTY, GEORGIA, TO  
7 ENHANCE ECONOMIC OPPORTUNITIES FOR THE CITIZENS OF FULTON COUNTY,  
8 GEORGIA; DIRECTING THE COUNTY MANAGER AND COUNTY ATTORNEY TO  
9 NEGOTIATE A CONTRACT BETWEEN FULTON COUNTY AND THE ATC  
10 FOUNDATION REGARDING THE USE OF SAID FUNDS FOR THE PROGRAM;  
11 AUTHORIZING THE FULTON COUNTY FINANCE DEPARTMENT TO EXPEND SUCH  
12 FUNDS AFTER THE COUNTY MANAGER IDENTIFIES THE SOURCE OF SAID  
13 FUNDING UNDER THE APPROVED COUNTY BUDGET; AND FOR OTHER  
14 PURPOSES.

15         **WHEREAS**, the Atlanta Technical College (“ATC”) is a public technical college  
16 located in Atlanta, Georgia, that is part of the Technical College System of Georgia  
17 (“TCSG”) that provides educational services for Fulton and Clayton Counties; and

18         **WHEREAS**, ATC’s Economic Development Division provides training programs  
19 and services designed to meet the needs of Georgia’s businesses, industries and  
20 individuals in Fulton and Clayton Counties through training and developing solutions to  
21 the challenges facing Georgia’s businesses, particularly in developing a skilled workforce;  
22 and

23         **WHEREAS**, ATC is the only technical college in Atlanta that offers transportation  
24 and logistics programs without a designated training facility to teach the necessary skills  
25 for commercial truck driving and warehousing; and

26         **WHEREAS**, Fulton County and ATC are interested in expanding ATC’s existing  
27 commercial driver’s education program to provide a CDL training and testing site to train  
28 Fulton County residents, and others, to operate vehicles requiring a commercial driver’s  
29 license (“CDL”) to operate; and

30         **WHEREAS**, on August 3, 2022, through Resolution No. 22-0546, the Board of  
31 Commissioners approved funding in an amount of Five Hundred Thousand Dollars and

1 Zero Cents (\$500,000.00) to ATC for a CDL training and testing site which will create and  
2 enhance opportunities for countless Fulton County residents to obtain a commercial  
3 driver's license that will benefit their lives and the communities in which they reside; and

4 **WHEREAS**, this new CDL testing site will increase the available enrollment by five  
5 times, offer expanded programming to include Class B box truck driver training, and  
6 enhance day and evening class options for ATC students; and

7 **WHEREAS**, the Atlanta Technical College Foundation, Inc. ("the Foundation") is a  
8 501(c)3 nonprofit with the mission to provide support to ATC and the programs and  
9 activities carried out by ATC; and

10 **WHEREAS**, the Foundation's stated purpose is to acquire, retain, invest and  
11 administer funds exclusively for the benefit of ATC; and

12 **WHEREAS**, ATC has recently requested that Fulton County's funding for the  
13 expansion of ATC's commercial driver's education program that was approved via  
14 Resolution 22-0546, be provided to the ATC Foundation instead of ATC because the  
15 Foundation was created to acquire, retain, invest and administer funds exclusively for the  
16 benefit of ATC; and

17 **WHEREAS**, the Board of Commissioners finds that providing the previously  
18 approved funding to the ATC Foundation in lieu of ATC is consistent with the purpose for  
19 which the County provided the funding; and

20 **WHEREAS**, Fulton County Code of Laws ("FCC") § 1-117 gives the Board of  
21 Commissioners exclusive authority over the affairs of the County; and

22 **WHEREAS**, pursuant to O.C.G.A. § 36-1-19.1, Fulton County is authorized and  
23 empowered under the laws of the State of Georgia to appropriate money for the making  
24 of any grant or contribution for purely charitable purposes, with such purposes being  
25 defined to include educational purposes; and

26 **WHEREAS**, pursuant to FCC § 2-152, the County Manager has the duty "to  
27 conduct, supervise and administer all county affairs, subject only to the general law, to

1 rules prescribed by the [Board of Commissioners], and subject to the right of the [Board  
2 of Commissioners] to review, repeal or modify any action of the [County Manager] which  
3 is contrary to the general law or such rules ...”; and

4 **WHEREAS**, the Board of Commissioners finds that it is in the best interest of  
5 Fulton County, Georgia for the County Manager and the County Attorney to negotiate a  
6 contract between the ATC Foundation and Fulton County related to the expansion of  
7 ATC’s commercial driving program with Fulton County and the contribution of an amount  
8 not to exceed \$500,000.00 towards the program.

9 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby  
10 amends Resolution #22-0546 to authorize the donation of \$500,000.00 to the ATC  
11 Foundation instead of the ATC to reflect the donation to support ATC’s expansion of its  
12 commercial driver’s license program in Fulton County, Georgia, to enhance economic  
13 opportunities for the citizens of Fulton County, Georgia.

14 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby directs  
15 and authorizes the County Manager and the County Attorney to negotiate a contract  
16 between the Atlanta Technical College Foundation, Inc. and Fulton County and the  
17 contribution of an amount not to exceed \$500,000.00 towards the program, attached  
18 hereto in substantial form as Exhibit A.

19 **BE IT FURTHER RESOLVED**, the Chairman is hereby authorized to execute the  
20 contract and related documents, after this contract is approved as to form by the County  
21 Attorney, who is authorized to make necessary modifications thereto prior to execution  
22 by the Chairman.

23 **BE IT FURTHER RESOLVED**, that the Finance Department is hereby authorized  
24 to expend funding under the contract with the ATC Foundation from a funding source  
25 identified by the County Manager under the approved FY2023 County Budget.

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



1 A RESOLUTION AUTHORIZING THE DONATION OF \$500,000.00 TO ATLANTA  
2 TECHNICAL COLLEGE (“ATC”) IN SUPPORT OF ATC’S EXPANSION OF ITS  
3 COMMERCIAL DRIVER’S LICENSE PROGRAM (THE “PROGRAM”) IN FULTON  
4 COUNTY, GEORGIA TO ENHANCE ECONOMIC OPPORTUNITIES FOR THE  
5 CITIZENS OF FULTON COUNTY, GEORGIA; DIRECTING THE COUNTY MANAGER  
6 AND COUNTY ATTORNEY TO NEGOTIATE AN INTERGOVERNMENTAL  
7 AGREEMENT BETWEEN FULTON COUNTY AND ATC REGARDING THE USE OF  
8 SAID FUNDS FOR THE PROGRAM; AUTHORIZING THE FULTON COUNTY  
9 FINANCE DEPARTMENT TO EXPEND SUCH FUNDS AFTER THE COUNTY  
10 MANAGER IDENTIFIES THE SOURCE OF SAID FUNDING UNDER THE APPROVED  
11 COUNTY BUDGET; AND FOR OTHER PURPOSES.

12         **WHEREAS**, a major priority of Fulton County, Georgia is to investigate, study, and  
13 undertake ways and means of promoting and encouraging prosperous economic  
14 development and protection of business, industry, and commerce within Fulton County,  
15 Georgia; and

16         **WHEREAS**, the Atlanta Technical College (“ATC”) is a public technical college  
17 located in Atlanta, Georgia that is part of the Technical College System of Georgia  
18 (“TCSG”) that provides educational services for Fulton and Clayton Counties; and

19         **WHEREAS**, ATC’s Economic Development Division provides training programs  
20 and services designed to meet the needs of Georgia’s businesses, industries and  
21 individuals in Fulton and Clayton Counties through training and developing solutions to  
22 the challenges facing Georgia’s businesses, particularly in developing a skilled workforce;  
23 and

24         **WHEREAS**, the metro-Atlanta area is a transportation hub, with ready access to  
25 airports and interstates; and

26         **WHEREAS**, ATC estimates that the number of jobs in this field is expected to  
27 increase by 14% nationally and 16% in the State of Georgia over the next several years;  
28 and

29         **WHEREAS**, according to ATC, estimated salaries in this field start at \$40,000.00  
30 a year; and

1           **WHEREAS**, Fulton County and ATC are interested in expanding ATC's  
2 commercial driver's education to train Fulton County residents, and others, to operate  
3 vehicles requiring a commercial driver's license to operate; and

4           **WHEREAS**, the Board of Commissioners finds that providing funding in an amount  
5 up to Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) to ATC will create  
6 and enhance opportunities for countless Fulton County residents to obtain a commercial  
7 driver's license that will benefit their lives and the communities in which they reside; and

8           **WHEREAS**, Fulton County Code of Laws ("FCC") § 1-117 gives the Board of  
9 Commissioners exclusive authority over the affairs of the County; and

10          **WHEREAS**, pursuant to O.C.G.A. § 36-1-19.1, Fulton County is authorized and  
11 empowered under the laws of the State of Georgia to appropriate money for the making  
12 of any grant or contribution for purely charitable purposes, with such purposes being  
13 defined to include educational purposes; and

14          **WHEREAS**, pursuant to FCC § 2-152, the County Manager has the duty "to  
15 conduct, supervise and administer all county affairs, subject only to the general law, to  
16 rules prescribed by the [Board of Commissioners], and subject to the right of the [Board  
17 of Commissioners] to review, repeal or modify any action of the [County Manager] which  
18 is contrary to the general law or such rules ..."; and

19          **WHEREAS**, the Board of Commissioners finds that it is in the best interest of  
20 Fulton County, Georgia for the County Manager and the County Attorney to negotiate an  
21 Intergovernmental Agreement between ATC and Fulton County related to the expansion  
22 of ATC's commercial driving program with Fulton County and the contribution of an  
23 amount not to exceed \$500,000.00 towards the program.

24          **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby  
25 directs and authorizes the County Manager and the County Attorney to negotiate an  
26 Intergovernmental Agreement between the Atlanta Technical College and Fulton County  
27 and the contribution of an amount not to exceed \$500,000.00 towards the program.



1 **BE IT FURTHER RESOLVED**, the Chairman is hereby authorized to execute the  
2 Intergovernmental Agreement and related documents, after this Intergovernmental  
3 Agreement is approved as to form by the County Attorney, who is authorized to make  
4 necessary modifications thereto prior to execution by the Chairman.

5 **BE IT FURTHER RESOLVED**, that the Finance Department is hereby authorized  
6 to expend funding under the Intergovernmental Agreement with the Atlanta Technical  
7 College from a funding source identified by the County Manager under the approved  
8 County Budget.

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

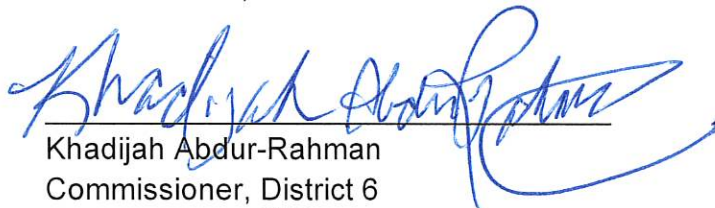
12 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,  
13 Georgia, this 3<sup>rd</sup> day of August, 2022.

14 **FULTON COUNTY BOARD OF COMMISSIONERS**

15 Sponsored by:

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18 

19  
20 Robert L. Pitts, Chairman

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22   
23  
24 Khadijah Abdur-Rahman  
25 Commissioner, District 6

26 **ATTEST:**

27   
28  
29 Tonya R. Grier, Clerk to the Commission



30  
31 **APPROVED AS TO FORM:**

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33  
34 Y. Soo Jo, County Attorney  
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