

1 **RESOLUTION AUTHORIZING CONTRACT EXTENSION AGREEMENT,**
2 **BY AND BETWEEN, FULTON COUNTY AND THE FULTON-DEKALB**
3 **HOSPITAL AUTHORITY; AND FOR OTHER PURPOSES.**
4

5 **WHEREAS**, in accordance with the terms of an Operating Agreement, dated
6 January 1, 1984, by and among Fulton County, DeKalb County, and The Fulton-DeKalb
7 Hospital Authority (the "Authority"), as amended by five (5) subsequent amendments
8 dated: December 30, 1987; July 14, 1988; December 29, 1988; June 22, 1989; and
9 December 14, 1989 (collectively, the "Agreement"), the Authority provides facilities for
10 the indigent sick and emergency services within Fulton County and DeKalb County, and
11 Fulton County and DeKalb County each provide certain levels of financial support to the
12 Authority in exchange for such facilities and services; and

13 **WHEREAS**, the Authority was activated by both Fulton County and DeKalb
14 County (together, the "Counties") in 1941, pursuant to the Hospital Authorities Law as it
15 then existed, (and now codified in O.C.G.A. §§ 31-7-70 et seq.) as amended (the "Act"),
16 for the purpose of addressing the medical care needs of their citizens and the
17 acquisition and construction of adequate and necessary hospital facilities; and

18 **WHEREAS**, the Counties and the Authority are authorized, pursuant to
19 provisions of the Constitution of the State of Georgia, to contract for such medical
20 services and hospitalization, and provide such hospital facilities and projects, and
21 financing, therefore, pursuant to O.C.G.A. § 31-7-84, § 31-7-85 and other provisions of
22 the Act; and

23 **WHEREAS**, in order to provide for the "new" Grady Hospital, the Authority and
24 the Counties entered into a 30-year contract in 1953 (the "1953 Contract"), under which
25 the Counties agreed to pay debt service on the revenue bonds used to finance the

1 construction of the new hospital and to provide funding for its operation; and

2 **WHEREAS**, the 1953 Contract was superseded by a subsequent 30-year
3 contract among the Authority and the Counties made effective as of January 1, 1984,
4 (the “1984 Contract”), which provided for the financing of certain renovations to the
5 Hospital; and

6 **WHEREAS**, to facilitate the financing of various improvements and other capital
7 expenditures with respect to the Hospital and its related facilities, the 1984 Contract was
8 amended by Amendment Number One to Contract, dated December 30, 1987;
9 Amendment Number Two to Contract, dated July 14, 1988; Amendment Number Three
10 to Contract, dated December 29, 1988; and Amendment Number Four to Contract,
11 dated June 22, 1989; and Amendment Number Five to Contract, dated December 14,
12 1989; and

13 **WHEREAS**, following the restructuring of the Grady Health System (“Grady”), by
14 virtue of a Lease and Transfer Agreement (the “Lease”) dated as of April 7, 2008, the
15 Authority and Grady Memorial Hospital Corporation, Fulton County, and the Authority
16 entered into a series of memoranda of understanding, “in order to provide guidance in
17 interpreting certain terms and provisions” of the Agreement, the Lease, and certain
18 service agreements relating to Grady without amending the same; and

19 **WHEREAS**, the term of the 1984 Contract was extended for a one-year period
20 ending December 31, 2017, by resolutions adopted by the Fulton County Board of
21 Commissioners on June 15, 2016, and by the DeKalb County Board of Commissioners
22 on April 26, 2016; and

23 **WHEREAS**, the term of the 1984 Contract was extended for a two-year period

1 ending December 31, 2021, by resolutions adopted by the Fulton County Board of
2 Commissioners on December 18, 2019, and by the DeKalb County Board of
3 Commissioners on December 17, 2019; and

4 **WHEREAS**, in order to continue the Counties' support of medical services and
5 hospitalization for the indigent sick of their respective communities, and to assist the
6 Authority and the Corporation in providing adequate facilities for such purpose, the
7 parties hereto wish to further extend the 1984 Contract and have it remain in full force
8 and effect, through and including December 31, 2023, attached to this Resolution as
9 Exhibit A.

10 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners
11 hereby approves the attached Contract Extension Agreement and authorizes the
12 Chairman to execute said Contract Extension Agreement on behalf of Fulton County.

13 **BE IT FURTHER RESOLVED**, that upon adoption of this Resolution, the Clerk
14 shall transmit a copy of the Contract Extension Agreement for review and adoption by
15 the Authority.

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

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22 **SO PASSED AND ADOPTED**, this _____ day of December, 2021.

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Robert L. Pitts, Chairman
Board of Commissioner

ATTEST:

APPROVED AS TO FORM:

Tonya Grier,
Clerk to the Commission

Y. Soo Jo
County Attorney