

1 A RESOLUTION AUTHORIZING THE EXECUTION OF A RIGHT OF ACCESS
2 LICENSE AGREEMENT BETWEEN FULTON COUNTY, GEORGIA AND THE
3 SANDY SPRINGS CONSERVANCY, INC. FOR THE PURPOSE OF
4 ACCEPTING DONATED VOLUNTEER PROJECTS PERFORMED TO THE
5 EXTERIOR GROUNDS OF THE SANDY SPRINGS LIBRARY; AUTHORIZING
6 THE COUNTY MANAGER OR HIS DESIGNEE TO APPROVE SUCH
7 VOLUNTEER PROJECTS; AUTHORIZING THE COUNTY ATTORNEY TO
8 APPROVE THE LICENSE AGREEMENT AND RELATED DOCUMENTS AS TO
9 FORM AND TO MAKE MODIFICATIONS THERETO PRIOR TO EXECUTION;
10 AND FOR OTHER PURPOSES.

11 WHEREAS, Fulton County, Georgia owns certain parcels of land in Fulton
12 County, Georgia (collectively, the "Property"), commonly referred to as the Sandy
13 Springs Branch of the Fulton County Library System (the "Sandy Springs
14 Library") having a street address of 395 Mount Vernon Highway, NE, Sandy
15 Springs, Georgia 30328, and

16 WHEREAS, Fulton County utilizes the Property to provide Library
17 Services for the residents of Fulton County; and

18 WHEREAS, the Sandy Springs Conservancy, Inc. (the "Sandy Springs
19 Conservancy") was established in 2001 in a grass-roots effort by citizens to
20 preserve rapidly disappearing greenspace and recreation areas in Sandy
21 Springs, and works to preserve and enhance parks, greenspace, and trails in the
22 community to improve the health and quality of life of Fulton County citizens; and

23 WHEREAS, the Sandy Spring Conservancy has reached out to the
24 County by offering to voluntarily perform various community projects from time-
25 to-time to preserve, maintain, and enhance certain public spaces within Sandy
26 Springs, and in particular, certain spaces on the exterior grounds of the Sandy
27 Springs Library; and

1 **WHEREAS**, the Fulton County Department of Real Estate and Asset
2 Management (“DREAM”) has determined that a Right of Access License
3 Agreement (“License Agreement”) is needed to streamline the process to allow
4 the Sandy Springs Conservancy to enter, after providing notice, onto the exterior
5 grounds of the Sandy Springs Library for the purpose of performing or managing
6 volunteer activities on the exterior grounds of the Property (each volunteer
7 activity hereinafter referred to as a “Project”) after receiving written approval of
8 the identified Project from the County Manager or his designee; and

9 **WHEREAS**, the Board of Commissioners finds it to be in the best interest
10 of its citizens for the County to enter into a License Agreement with the Sandy
11 Springs Conservancy to grant the Sandy Springs Conservancy access to the
12 exterior grounds of the Sandy Springs Library to conduct community service
13 Projects to preserve, maintain, or enhance such Property or appurtenances
14 located thereon; and

15 **WHEREAS**, pursuant to Fulton County Code Section 1-117, the Board of
16 Commissioners has exclusive jurisdiction and control over the following matters,
17 to-wit: In directing and controlling all the property of the county, as they may
18 deem expedient, according to law, including the ability to enter into a License
19 Agreement for the preservation or maintenance of County property.

20 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of
21 Commissioners hereby authorizes the execution of a License Agreement and
22 necessary related documents with the Sandy Springs Conservancy, Inc., with
23 said License Agreement attached hereto in substantial form as Exhibit “A.”

1 **BE IT FURTHER RESOLVED**, that prior to execution of the attached
2 License Agreement, the County Attorney shall approve the same as to form and
3 make any necessary changes thereto to protect the interests of Fulton County.

4 **BE IT FURTHER RESOLVED**, that once the Sandy Springs Conservancy
5 elects to offer a particular volunteer Project at the Sandy Springs Library, it shall
6 then meet with DREAM and the Library Management/Director to determine
7 whether the selected Project is feasible and is in line with the County's goals or
8 plans for the Sandy Springs Library.

9 **BE IT FURTHER RESOLVED**, that if DREAM and the Library
10 Management/Director agree that the proposed Project is acceptable, they will
11 seek approval from the County Manager or his designee.

12 **BE IT FURTHER RESOLVED**, that the County Manager or his designee
13 is hereby authorized to approve proposed Projects that are feasible and in line
14 with the County's goals and plans for the Sandy Springs Library and upon such
15 approval by the County Manager or designee, the Sandy Springs Conservancy
16 may proceed with the work until completion.

17 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby
18 accepts all donated volunteer Projects at the Sandy Springs Library once same
19 are acceptable to the County Manager or his designee.

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

1 **SO PASSED AND ADOPTED**, this 1st day of June, 2022.

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**FULTON COUNTY BOARD OF
COMMISSIONERS**

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Robert L. Pitts, Chairman

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14 **ATTEST:**

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Tonya R. Grier

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Clerk to the Commission

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APPROVED AS TO FORM:

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Y. Soo Jo, County Attorney

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