

1 **A RESOLUTION OF THE BOARD OF COMMISSIONERS OF**
2 **FULTON COUNTY, GEORGIA DIRECTING THE FULTON**
3 **COUNTY URBAN REDEVELOPMENT AGENCY (THE**
4 **“AGENCY”) TO ADMINISTRATIVELY REPROGRAM**
5 **CERTAIN PROCEEDS OF THE FACILITIES IMPROVEMENT**
6 **REVENUE BONDS, SERIES 2017 AND SERIES 2019 FOR THE**
7 **IMPROVEMENT AND RENOVATION OF THE ANIMAL**
8 **SHELTER PROJECT; AND OTHER RELATED MATTERS.**

9 **WHEREAS**, the Board of Commissioners of Fulton County, Georgia (the “**Board of**
10 **Commissioners**”) is charged with the duties of contracting debts and managing the affairs of Fulton
11 County, Georgia (the “**County**”); and

12 **WHEREAS**, the Fulton County Urban Redevelopment Agency (the “**Agency**”) was duly created
13 and is validly existing pursuant to the Urban Redevelopment Law (O.C.G.A. § 36-61-1 *et seq.*, as amended)
14 (the “**Act**”); and

15 **WHEREAS**, the Agency previously issued \$45,000,000 in aggregate principal amount of its
16 Facilities Improvement Revenue Bonds, Series 2017 (the “**Series 2017 Bonds**”), to finance, in whole or in
17 part, various projects and facilities approved by the Board of Commissioners and the Agency (the “**Series**
18 **2017 Project**”), all of which are authorized by the Act and located on land owned by the County in the
19 applicable urban redevelopment areas designated by the County; and

20 **WHEREAS**, the Agency previously issued \$39,335,000 in aggregate principal amount of its
21 Facilities Improvement Revenue Bonds, Series 2019 (the “**Series 2019 Bonds**” and, together with Series
22 2017 Bonds, the “**Series 2017/2019 Bonds**”), to finance, in whole or in part, various projects and facilities
23 approved by the Board of Commissioners and the Agency (the “**Series 2019 Project**” and, together with
24 the Series 2017 Project, collectively, the “**Series 2017/2019 Projects**”), as authorized by the Act and
25 located on land owned by the County in the applicable urban redevelopment areas designated by the County;
26 and

27 **WHEREAS**, Series 2017/2019 Bond proceeds in the amount of \$2,823,544, together with interest
28 earnings thereon, are on deposit in the various funds and accounts relating to the Series 2017/2019 Bonds
29 (the “**Surplus 2017/2019 FCURA Funds**”); and

30 **WHEREAS**, the Series 2017/2019 Projects are included in the County’s capital project work
31 program and the urban redevelopment plans applicable to the Series 2017/2019 Projects, and each represent
32 lists of projects for which the Series 2017/2019 Bonds may be expended, as and to the extent of surplus
33 amounts being available therefor; and

34 **WHEREAS**, after consultation with representatives of the County’s Finance Department and the
35 County Attorney’s Office, the County has determined to reprogram the Surplus 2017/2019 FCURA Funds
36 and direct the Agency to (i) memorialize the reprioritization of the animal shelter, as identified in the
37 County’s capital project work program and the urban redevelopment plan adopted in connection with the
38 issuance of the Series 2017/2019 Bonds (the “**Animal Shelter Project**”), and (ii) reallocate the Surplus
39 2017/2019 FCURA Funds, in full, to the Animal Shelter Project, which project was initially authorized in
40 connection with the authorization of the Series 2017/2019 Projects and funded (in part) with a portion of
41 the proceeds of such Series 2017/2019 Bonds; and

42 **WHEREAS**, the entirety of the Surplus 2017/2019 FCURA Funds shall be applied to the
43 completion of the Animal Shelter Project.

44 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF**
45 **FULTON COUNTY, GEORGIA, as follows:**

46 **Section 1. Authorization of the Reprioritization of the Series 2017/2019 Projects and**
47 **Reprogramming of the Surplus 2017/2019 FCURA Funds.** The Agency is hereby directed to (i)
48 reprioritize, as a Series 2017/2019 Project for which Surplus 2017/2019 FCURA Funds shall be
49 administratively reprogrammed and applied, the completion of the Animal Shelter Project and (ii) reallocate
50 and reprogram the Surplus 2017/2019 FCURA Funds, in full, to the Animal Shelter Project.

51 **Section 2. Approval and Ratification of Certain Actions.** All actions of the officers and
52 agents of the County, in consultation with the County Attorney, taken prior to the adoption of this
53 Resolution and reflecting the actions authorized in this Resolution, are hereby approved, ratified and
54 confirmed.

55 **Section 3. General Authority.** From and after the date of adoption of this Resolution, the
56 Board of Commissioners and the officers and agents of the County are hereby authorized to do all such acts
57 and things, and to execute and deliver all such documents, certificates or agreements as may be necessary
58 or desirable in connection with the reprogramming of the Surplus Series 2017/2019 FCURA Funds, all as
59 contemplated in this Resolution. All actions of the Board of Commissioners and its officers or agents taken
60 in connection therewith prior to the date hereof are hereby ratified, confirmed and approved.

61 **Section 4. Effective Date.** This Resolution will be in full force and effect immediately upon
62 its adoption and any and all resolutions or parts of resolutions in conflict with this Resolution will be and
63 the same are, to the extent of such conflict, hereby repealed.

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PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this ____ day of October, 2022.

**FULTON COUNTY BOARD OF
COMMISSIONERS**

[SEAL]

By: _____
Robert L. Pitts, Chairman

ATTEST:

Tonya R. Grier, Clerk
Board of Commissioners of Fulton County, Georgia

APPROVED AS TO FORM:

Soo Jo, County Attorney