

1 **RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN FULTON**
2 **COUNTY, GEORGIA AND THE GEORGIA DEPARTMENT OF HUMAN SERVICES ,**
3 **DIVISION OF FAMILY & CHILDREN SERVICES, FOR THE PURPOSE OF**
4 **DISTRIBUTING TOYS AND ECONOMIC ASSISTANCE FROM WITHIN A FULTON**
5 **COUNTY-OWNED REAL PROPERTY; TO AUTHORIZE THE CHAIRMAN OR THE**
6 **COUNTY MANAGER TO EXECUTE THE LICENSE AGREEMENT; TO AUTHORIZE**
7 **THE COUNTY ATTORNEY TO APPROVE THE LICENSE AGREEMENT AS TO FORM**
8 **AND TO MAKE ANY MODIFICATIONS PRIOR TO EXECUTION TO PROTECT THE**
9 **COUNTY’S INTERESTS; AND FOR OTHER PURPOSES.**

10 **WHEREAS,** Fulton County, Georgia is the largest and most populous county in
11 the state of Georgia, with residents requiring social assistance to meet basic needs; and

12 **WHEREAS,** The Georgia Department of Human Services, Division of Family &
13 Children Services (DFCS) investigates reports of child abuse; finds foster and adoptive
14 homes for abused and neglected children and provides several support services to help
15 families in need; and

16 **WHEREAS,** The Christmas holidays are a special time of year for children during
17 which lifelong memories are formed and it is desire of the DFCS that these memories
18 have positive impacts with the social development of those children who are members of
19 families that are economically disadvantage; and

20 **WHEREAS,** it is the desire of Fulton County to enter into a short term license
21 agreement in substantially the form attached hereto as Exhibit A, with the DFCS to occupy
22 the County-owned facility located at 475 Fairburn Road Atlanta, Georgia under the terms
23 and conditions set forth in the license agreement for the purpose of assembling and
24 distributing toys and providing social assistance to children and families; and

25 **WHEREAS,** Fulton County’s Home Rule powers found in Article 9, § 2, Par. 1(a)
26 of the Georgia Constitution provide, in part, that “[t]he governing authority of each county
27 shall have legislative power to adopt clearly reasonable ordinances, resolutions, or
28 regulations relating to its property, affairs, and local government for which no provision
29 has been made by general law and which is not inconsistent with this Constitution or any
30 local law applicable thereto.”

WHEREAS, pursuant to Fulton County Code (“FCC”) § 1-117, the Fulton County Board of Commissioners has exclusive jurisdiction and control over directing and controlling all the property of the County, as they may deem expedient, according to law, in making such rules and regulations for the support of the poor of the County, and to exercise such other powers as are granted by law or are indispensable to their jurisdiction over County matters and County finances.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the license agreement with the Georgia Department of Human Services, Division of Family & Children Services, in substantially the form attached hereto as Exhibit “A,” (“License Agreement”) and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or the County Manager is hereby authorized to execute the License Agreement and other necessary ancillary documents with the Georgia Department of Human Services, Division of Family & Children Services.

BE IT FURTHER RESOLVED, that the County Attorney is hereby authorized to approve the License Agreement and any other ancillary documents as to form and to make such other or additional modifications that are necessary to protect the County's interests prior to execution by the Chairman or the County Manager.

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

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PASSED AND ADOPTED by the Board of Commissioners of Fulton County, Georgia, this ____ day of _____, 2022.

FULTON COUNTY BOARD OF COMMISSIONERS

Robert L. Pitts, Chairman

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney

EXHIBIT A

License Agreement