



Fulton County

Legislation Details (With Text)

File #: 24-0376 **Version:** 1 **Name:**

Type: Consent - Infrastructure and Economic Development **Status:** Agenda Ready

File created: 5/2/2024 **In control:** Board of Commissioners

On agenda: 6/5/2024 **Final action:**

Title: Request approval of a Sanitary Sewer System Ownership, Operation, Maintenance and Repair Agreement between Fulton County, a political subdivision of the State of Georgia, and JEN Georgia 19, LLC, for the purpose of granting Fulton County access to extend and maintain the sanitary sewer system at 11190 Rock Mill Road, Alpharetta, Georgia 30009 (the Development). (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Pinecone PSA SS Signed

Date	Ver.	Action By	Action	Result
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Department

Real Estate and Asset Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Sanitary Sewer System Ownership, Operation, Maintenance and Repair Agreement between Fulton County, a political subdivision of the State of Georgia, and JEN Georgia 19, LLC, for the purpose of granting Fulton County access to extend and maintain the sanitary sewer system at 11190 Rock Mill Road, Alpharetta, Georgia 30009 (the Development). **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Pursuant to Fulton County Code ("FCC") § 34-509, any building, residence, or other facility designed or used for human occupancy or congregation must provide a sewerage system within the building and that system must be connected to the public system in most situations, including the current development. In addition, pursuant to FCC § 1-117, the Board of Commissioners are vested with exclusive jurisdiction to direct and control all the property in the County, according to law. Finally, O.C.G.A. § 36-10-1 requires that all contracts entered into by a county governing authority on behalf of a county be in writing and entered on the governing authority's minutes.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

All Districts

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Choose an item.

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Department of Real Estate and Asset Management (DREAM) and the Department of Public Works request the approval of the Fulton Board of Commissioners to execute a Sanitary Sewer System Ownership, Operation, Maintenance, and Repair Agreement with Milton Land Invest, Inc.

Environmental Protection Division, EPD regulations require that where a permitted public sanitary sewer system is available, developments and a property requiring sanitary sewer services shall obtain sanitary sewer service through an extension of the public service system.

JEN Georgia 19, LLC, the Owner of the real property located at 11190 Rock Mill Road, Alpharetta, Georgia 30022, has agreed to provide Fulton County easement access to maintain and expand sewer services within their Development.

The purpose of the Sanitary Sewer System Ownership, Operation, Maintenance, and Repair Agreement is to formalize maintenance responsibilities and conditions of legal access for Fulton County, JEN Georgia 19, LLC, and future owners that may acquire the Development at 11190 Rock Mill Road, Alpharetta, Georgia.

Community Impact: The Department of Public Works has confirmed that if this Agreement is approved, the County’s sewer system will not be adversely impacted and can continue to be properly maintained.

Department Recommendation: The Department of Real Estate and Asset Management accepts the Department of Public Works' conclusion to accept the Sanitary Sewer System Ownership, Operation, Maintenance, and Repair Agreement and recommends its approval.

Project Implications: No negative impacts to sewer services or access to the sewer line for maintenance purposes will result because of the approval of this Agreement.

Community Issues/Concerns: None.

Department Issues/Concerns: None.

Fiscal Impact / Funding Source

Funding Line 1:

Approval of the Agenda Item does not involve the receipt or payment of funding.