



# Fulton County

## Legislation Text

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File #: 24-0378, Version: 1

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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, Georgia, and Moslem and Leila Eskandari for the purpose of granting Fulton County legal access to extend and maintain the sanitary sewer system at 2385 Old Milton Parkway, 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 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 is 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?

No

**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 and the Department of

Public Works requests the approval of the Fulton Board of Commissioners to execute a Sanitary Sewer System Ownership, Operation, Maintenance, and Repair Agreement with Moslem and Leila Eskandari.

Georgia Department of Natural Resources, Environmental Protection Division 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.

Moslem and Leila Eskandari, the owners of the real property located at 2385 Old Milton Parkway, Alpharetta, Georgia 30009, have agreed to provide Fulton County easement access for the purpose of maintaining and expanding the County's sewer system within their Development.

The purpose of the Sanitary Sewer System Ownership, Operation, Maintenance, and Repair Agreement is to formalize maintenance responsibilities and conditions for legal access for Fulton County, Moslem and Leila Eskandari, and future owners that may acquire the development at 2385 Old Milton Parkway, 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:** Approval of this Agreement will not compromise or restrict sewer services, nor will it impede access to the sewer line for necessary maintenance purposes.

**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.