



# Fulton County

## Legislation Details (With Text)

<b>File #:</b>	22-0710	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Consent - Infrastructure and Economic Development	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	9/13/2022	<b>In control:</b>		Board of Commissioners	
<b>On agenda:</b>	10/5/2022	<b>Final action:</b>			
<b>Title:</b>	Request approval of a Resolution approving (i) two Right of Way deeds, (ii) a Regulations for Driveway and Encroachment Control Manual Agreement and (iii) a GDOT Bonding Requirements for Encroachment Permits Letter between Fulton County, Georgia and the Georgia Department of Transportation for the purpose of connecting driveway access from the proposed Fulton County Animal Shelter to Fulton Industrial Boulevard; to authorize the Chairman to execute each agreement and related documents; to authorize the County Attorney to approve as to form and make modifications as necessary to protect the County's interests prior to execution; and for other purposes. (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. GDOT Bonding Requirements for Encroachment Permit Letter, 2. GDOT ROW Deed Animal Services Facility (North Entry) 052322, 3. GDOT ROW Deed Animal Services Facility (South Entry) 052322, 4. Regulations For Driveway and Encroachment Agreement, 5. Resolution Georgia Department of Transportation Right of Way Animal Shelter\_pjo 1 mg, 6. 2022-0710

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 Resolution approving (i) two Right of Way deeds, (ii) a Regulations for Driveway and Encroachment Control Manual Agreement and (iii) a GDOT Bonding Requirements for Encroachment Permits Letter between Fulton County, Georgia and the Georgia Department of Transportation for the purpose of connecting driveway access from the proposed Fulton County Animal Shelter to Fulton Industrial Boulevard; to authorize the Chairman to execute each agreement and related documents; to authorize the County Attorney to approve as to form and make modifications as necessary to protect the County's interests prior to execution; and for other purposes. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

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

Pursuant to O.C.G.A. § 36-9-3, Fulton County Board of Commissioners has the authority grant easements and rights of way; to sell, convey, or transfer road rights of way; and to sell, transfer, or convey real property to any other body politic.

### 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 Georgia Department of Transportation (GDOT) has requested through Fulton County's Department of Real Estate and Asset Management (DREAM) that Fulton County execute two (2) Right of Way Deeds, a Regulations for Driveway and Encroachment Control Manual Agreement and a GDOT Bonding Requirements for Encroachment Permits Letter prior to connecting driveway access to Fulton Industrial Boulevard, also known as State Route 70, from the proposed Fulton County Animal Shelter.

In accordance with GDOT regulations, property owners with developments requiring access to a state route must dedicate right of way areas deemed necessary by GDOT to maintain optimal public travel safety and for performance of ongoing roadway maintenance.

The approval of the Fulton County Board of Commissioners is being requested to convey real property interests in County-owned real property.

**Community Impact:** The proposed construction of a new 58,000 sq. ft. Fulton County Animal Shelter (FCAS) facility located at 1251 Fulton Industrial Boulevard, Atlanta, Georgia 30318, requires the dedication of right of way to GDOT to maintain roadway travel design safety and to provide convenient public access to the new facility .

**Department Recommendation:** DREAM recommends approval of: two (2) Right of Way Deeds, a GDOT Bonding Requirements for Encroachment Permits Letter and a Regulations for Driveway and Encroachment Control Manual Agreement between Fulton County and GDOT for the purpose connecting roadway access to Fulton Industrial Boulevard from the new Fulton County Animal Shelter facility.

**Project Implications:** If approved, vehicular access can be completed from Fulton Industrial Boulevard to the new FCAS facility.

**Community Issues/Concerns:** None.

**Department Issues/Concerns:** None.

**History of BOC Agenda Item:** The Fulton County Board of Commissioners previously approved the construction of the FCAS facility at its December 15, 2021 meeting as Agenda Item # 21-01042, "Request approval of Guaranteed Maximum Price (GMP) - Department of Real Estate and Asset Management, RFP#21RFP22421K-DB, Construction Management at Risk Services for the New Fulton County Animal Shelter Facility in the total amount of \$32,269,760.00 with Winter Johnson Group (Atlanta, GA), a joint venture comprised of The Winter Construction Company and Johnson Construction Service), to provide Construction Phase Services for the new 58,000 square foot Fulton County Animal Shelter Facility (FCAS) located at 1251 Fulton Industrial Boulevard, Atlanta, Georgia 30318."