



# Fulton County

## Legislation Details (With Text)

**File #:** 23-0331      **Version:** 1      **Name:**

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

**File created:** 4/20/2023      **In control:** Board of Commissioners

**On agenda:** 5/17/2023      **Final action:**

**Title:** Request approval of a Resolution approving a Right of Access and Use License Agreement between Fulton County, Georgia, a political subdivision of the State of Georgia, and the Center Helping Obesity in Children End Successfully Inc. (“C.H.O.I.C.E.S.”) for the purpose of formalizing terms of access to prepare and distribute healthy meals for economically disadvantage families at 2805 Metropolitan Parkway, S.W., Atlanta, Georgia; to authorize the Chairman to execute the Right of Access and Use License Agreement; to authorize the County Attorney to approve the Right of Access and Use License Agreement as to form and to make modifications thereto in order to protect the interests of Fulton County prior to execution; and for other purposes. (APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 05.03.23 Resolution Authorizing the Approval CHOICES at Oak Hill, 2. CHOICES - Fulton County Oak Hill Facility License mp

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 a Right of Access and Use License Agreement between Fulton County, Georgia, a political subdivision of the State of Georgia, and the Center Helping Obesity in Children End Successfully Inc. (“C.H.O.I.C.E.S.”) for the purpose of formalizing terms of access to prepare and distribute healthy meals for economically disadvantage families at 2805 Metropolitan Parkway, S.W., Atlanta, Georgia; to authorize the Chairman to execute the Right of Access and Use License Agreement; to authorize the County Attorney to approve the Right of Access and Use License Agreement as to form and to make modifications thereto in order to protect the interests of Fulton County 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)*

The County’s Home Rule powers, found in Article 9, Section 2, Paragraph 1(a) of the Georgia Constitution, provide, in part, that “[t]he governing authority of each county shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with this Constitution or any local law applicable thereto.” Further, pursuant to Fulton County Code § 1-117, the Board of Commissioners “have exclusive jurisdiction and control over . . .

directing and controlling all the property of the county, as they may deem expedient, according to law.”

**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** Approval for Right of Access and Use License Agreement between Fulton County and the Center Helping Obesity in Children End Successfully, Inc. (C.H.O.I.C.E.S.).

**Scope of Work:** In accordance with Fulton County Policy for use and or occupancy of a County owned real property by a non-County entity, a formal agreement must be approved by the Fulton County Board of Commissioners prior to granting occupancy.

The Fulton County Department of Health Services and Human Services is requesting approval of the Fulton County Board of Commissioners to authorize the Center Helping Obesity in Children End Successfully Inc. (“C.H.O.I.C.E.S.”), access and use of kitchen, meal prep space, and parking lot at the Oak Hill Child, Adolescent, and Family Center located at 2805 Metropolitan Parkway, S.W., Atlanta, Georgia. Pending approval, C.H.O.I.C.E.S will obtain an access and a non-exclusive use license to kitchen and meal prep space and parking lot two (2) weeks per month (the second and fourth week of each month) beginning upon execution of the Agreement and ending on December 31, 2023, with five (5) one-year renewal terms beginning on the 1st day of January.

**Community Impact:** Approval of the Right of Access and Use License Agreement is consistent with the County-wide initiative to promote good health for all residents through:

- Accessibility to Nutrition Meals
- Preventative Health Maintenance Through Nutrition
- Educating residents about the benefits of healthy eating

**Department Recommendation:** The Department of Real Estate and Asset Management and the Fulton County Department of Health and Human Service recommends approval of the Right of Access and Use Agreement with the C.H.O.I.C.E.S. for the purpose of formalizing terms of access and the permitted use of certain space at the Oak Hill Child, Adolescent, and Family Center located at 2805 Metropolitan Parkway, S.W., Atlanta, Georgia.

**Project Implications:** Approval of the Right of Access and Use Agreement is consistent with the

County initiative that all people trust government to be efficient with regards to use of its assets and available resources.

**Community Issues/Concerns:** None of which the Department is aware.

**Department Issues/Concerns:** None of which the Department is aware.

### **Fiscal Impact / Funding Source**

#### **Funding Line 1:**

Non-Applicable