



# Fulton County

## Legislation Text

File #: 23-0036, Version: 1

### Department

Real Estate and Asset Management

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

Request approval of a Resolution approving a Water Utility Easement Agreement between Fulton County and the City of Atlanta for the purpose of connecting water services to the proposed Fulton County Animal Shelter on Fulton Industrial Boulevard; to authorize the Chairman to execute Water Utility Easement Agreement and related documents; to authorize the County Attorney to approve all documents as to form and make modifications to protect the County's interest 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 Fulton County Code § 1-117, the 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. O.C.G.A. § 36-9-2 authorizes Fulton County to sell, grant, lease, rent, convey, or transfer any real property owned by the County and O.C.G.A. § 36-9-3(a)(2)(A) authorizes the granting of rights of ways without a competitive process.

### 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 City of Atlanta development regulations require that all new water service line connections acknowledge City of Atlanta Watershed Department's legal access to the area(s) in

which a water service line connection is being installed prior to the issuance of the required building permits and the certificate of occupancy. The easement area to be conveyed to the City of Atlanta consists of 478 square feet and located at 1251 Fulton Industrial Boulevard, Atlanta, Georgia 30336.

In accordance with the City of Atlanta Watershed Department regulations, Fulton County is required to execute a Water Utility Easement Agreement prior to connecting water service lines to the Fulton County Animal Shelter that is under construction on Fulton Industrial Boulevard.

The approval of the Fulton County Board of Commissioners is being requested to formally convey the utility easement areas necessary to install water service lines to the new animal shelter.

**Community Impact:** Pending completion of all planned construction, Fulton County residents will have a new 58,000 sq. ft. Fulton County Animal Shelter (FCAS) facility located at 1251 Fulton Industrial Boulevard, Atlanta, Georgia 30336.

**Department Recommendation:** The Department of Real Estate and Asset Management recommends approval of Water Utility Easement Agreement consisting of 478 square feet between Fulton County and the City of Atlanta for the purpose connecting water services to the new FCAS facility.

**Project Implications:** The City of Atlanta Water Shed Management Department requires approval of the Water Utility Easement Agreement prior to DREAM receiving building permits and the certificate of occupancy.

**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 # 21-1042, 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 30336.