

**RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN FULTON COUNTY FIRE STATIONS FROM FULTON COUNTY**

**WHEREAS**, following its creation by the 2005 Georgia General Assembly and referendum approval, the City of Sandy Springs became incorporated and commenced operations on December 1, 2005; and

**WHEREAS**, in December of 2005, Fulton County and the City of Sandy Springs entered into an Intergovernmental Agreement for the County to provide fire and emergency rescue services within the boundaries of Sandy Springs through June 30, 2006; and

**WHEREAS**, the County and City have agreed in principle to extend the above Intergovernmental Agreement through mid-December, 2006, after which time Fulton County will no longer provide fire and emergency rescue services within the incorporated limits of the City; and

**WHEREAS**, Fulton County owns two (2) fire stations within the City, located at 135 Johnson Ferry Road (Station No. 2) and 1425 Spalding Drive (Station No. 6), which fire stations were constructed via the former Sandy Springs Fire District using taxes paid solely by property owners within what is now the City of Sandy Springs; and

**WHEREAS**, Fulton County also leases a third fire station (Station No. 22) within the City at 6025 Heards Road, which fire station was constructed using revenues collected from Certificates of Participation issued by the Fulton County Facilities Corporation and which fire station serves as security for payment of the Certificates of Participation; and

**WHEREAS**, because Fulton County will no longer be providing fire and emergency services within Sandy Springs, both the County and the City desire to transfer the above three (3) fire stations to the City of Sandy Springs; and

**WHEREAS**, the City of Sandy Springs Mayor and City Council finds that the fact that the Johnson Ferry Road and Spalding Drive fire stations were paid for solely by property owners in the area that is now Sandy Springs is a substantial factor in determining the consideration to be provided to Fulton

County for those fire stations; and

**WHEREAS**, the City of Sandy Springs Mayor and Council finds that the acceptance and purchase of the above-referenced fire stations from the County will result in substantial public benefits, including but not limited to:

- continuity in the provision of fire and emergency services to Sandy Springs residents, who will continue to be residents of Fulton County;
  - the provision of emergency first-responder medical services to such residents, which will assist the County in matters of public health, over which Fulton County has county-wide jurisdiction;
- and

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Sandy Springs Mayor and City Council hereby directs the City Manager and City Attorney to prepare the appropriate documents to accept and purchase the Johnson Ferry Road (Station No. 2) and Spalding Drive (Station No. 6) fire stations to the City of Sandy Springs.

**BE IT FURTHER RESOLVED**, that the City of Sandy Springs Mayor and City Council further directs the City Manager and City Attorney to seek all necessary approvals to allow the acceptance and purchase of the Heards Road fire station (Station No. 22) to the City of Sandy Springs, with the City assuming any and all funding obligations for that fire station as may be required by the parties to the Certificates of Participation transaction.

**BE IT FURTHER RESOLVED**, that in the event that the necessary approvals for sale of the Heards Road fire station cannot be obtained, the City Manager and City Attorney are directed to seek all necessary approvals to allow the assignment or sub-lease of the County's leasehold interest in that station to the City, with the City assuming all lease payment obligations for that station.

**BE IT FURTHER RESOLVED**, that, as consideration for the above sale and transfer, the City of Sandy Springs shall pay to Fulton County the sum of \$5,000.00 for each of the Johnson Ferry Road and Spalding Drive fire stations and shall provide such other consideration/public benefits as described above, with all such consideration to be memorialized and made a part of the transfer documentation.

**BE IT FURTHER RESOLVED**, that as further consideration for the above sale and transfer, the City and County shall agree that Fulton County retains the right to utilize the fire station properties on a periodic basis for the purpose of providing citizens with other County services (such as distribution of public information materials and health screenings), provided that the County shall be required to give at least 30-days' notice to the City and that such activities do not disrupt fire-service activities at the fire stations.

**BE IT FURTHER RESOLVED**, that the City Clerk is directed to forward a copy of this Resolution to the Fulton County Board of Commissioners.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon its adoption, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

**SO PASSED AND ADOPTED**, this 6<sup>th</sup> day of June, 2006.

Sponsored by:

  
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Eva Galambos, Mayor

ATTEST:

  
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Jeanette R. Marchiafava City Clerk

APPROVED AS TO FORM:

  
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Wendell K. Willard, City Attorney

