

1 **A RESOLUTION OF FULTON COUNTY BOARD OF COMMISSIONERS**
2 **ESTABLISHING A RESERVE ACCOUNT DESIGNATED FOR THE JAIL BRIDGING**
3 **PLAN, AND REPLACEMENT JAIL CONSTRUCTION COSTS USING OVERRUNS**
4 **ABOVE THE \$636.4 MILLION EXPECTED TO BE GENERATED FROM A 96%**
5 **COLLECTION RATE OF CURRENT YEAR PROPERTY TAXES; AND FOR OTHER**
6 **PURPOSES.**

7 **WHEREAS**, based on a Jail Feasibility Study completed on February 1, 2023, the
8 Board of Commissioners is aware that the existing Fulton County Jail will likely need to
9 be replaced due to overcrowding and the deterioration of the building; and

10 **WHEREAS**, the Board of Commissioners is developing a plan to provide for the
11 allocation of resources for the repair, remediation, and renovation of the existing Fulton
12 County Jail until the construction of a replacement jail may be completed (a “Jail Bridging
13 Plan”); and

14 **WHEREAS**, the Jail Feasibility Study concluded that planning for, designing, and
15 building a replacement jail facility will cost approximately \$1,698,045,207.00; and

16 **WHEREAS**, the Board of Commissioners wishes to establish a dedicated reserve
17 fund for the planning, design, and construction costs related to a replacement jail and/or
18 execution of the Jail Bridging Plan; and

19 **WHEREAS**, on July 12, 2023, the Board of Commissioners, via Item 23-0454,
20 approved advertising a proposed millage rate of 9.2724 mills, which the Finance
21 Department projects would, if adopted, result in approximately \$40 million dollars of
22 revenue above the approved revenue of \$636.4 million in the adopted FY2023 General
23 Fund Budget, assuming a 96% collection rate and property tax appeal amounts remaining
24 at the same level as FY2022; and

25 **WHEREAS**, the Board of Commissioners desires to encumber any excess
26 revenue up to \$40 million collected above the approved revenue of \$636.4 million in the

1 adopted FY2023 General Fund Budget and designate that revenue to a committed
2 reserve within the General fund to finance a replacement jail, and/or a Jail Bridging Plan;
3 and

4 **WHEREAS**, pursuant to Fulton County Code § 1-117, the Fulton County Board of
5 Commissioners (“Board of Commissioners”) has exclusive jurisdiction and control for
6 “...the care, management, keeping, collecting, or disbursement, of money belonging to
7 the county, or appropriated for its use and benefit, and bring them to a settlement; [and]
8 . . . exercise such other powers as are granted by law, or are indispensable to their
9 jurisdiction over county matters and county finances”; and

10 **WHEREAS**, the Board of Commissioners finds that establishing the reserve to
11 finance a replacement jail, and/or a Jail Bridging Plan is in the best interest of the citizens
12 of Fulton County.

13 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
14 creates a reserve fund known as the “Jail Reserve” to be managed by the County
15 Manager, Chief Financial Officer and Finance Director, subject to the approval of
16 expenditures in the regular manner, and hereby directs them to deposit the funds
17 described below into this Jail Reserve.

18 **BE IT FURTHER RESOLVED**, that the Jail Reserve will be funded up to \$40
19 million resulting from property tax revenue collected in amounts above \$636.4 million.

20 **BE IT FURTHER RESOLVED** that the funds in the Jail Reserve shall be used for
21 financing: 1) the costs pertaining to the planning, design, and construction of a
22 replacement jail; and/or 2) a Jail Bridging Plan, which will provide for the repair,

1 remediation, renovation of the existing Fulton County Jail (inclusive of all ancillary
2 facilities).

3 **BE IT FURTHER RESOLVED** that any funds remaining in the Jail Reserve shall
4 revert to the County’s general fund after the replacement jail facility has been constructed
5 and all attendant costs satisfied, or when eligibility to roll funds over from year to year
6 within the reserve is exhausted, whichever first occurs.

7 **BE IT FINALLY RESOLVED** that this Resolution shall become effective when
8 adopted, and that all resolutions and ordinances in conflict with this Resolution are
9 hereby repealed to the extent of the conflict.

10 **SO PASSED AND ADOPTED**, this 2nd day of August, 2023.

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12 **FULTON COUNTY BOARD OF**
13 **COMMISSIONERS**

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18 Robert L. Pitts, Chairman
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21 **ATTEST:**

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24 _____
25 Tonya R. Grier, Clerk to the Commission
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28 **APPROVED AS TO FORM:**

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31 _____
32 Y. Soo Jo, County Attorney
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