

1 **A RESOLUTION TO AMEND FULTON COUNTY'S CURRENT BUDGET TO**
2 **INCREASE THE DEPARTMENTAL BUDGET FOR MAGISTRATE COURT BY**
3 **\$178,000 BASED ON CURRENT UNDERRUNS IN THE COUNTY'S OVERALL 2025**
4 **FISCAL YEAR BUDGET; AND FOR OTHER PURPOSES.**

5 **WHEREAS**, O.C.G.A. § 36-81-3 provides that counties "shall establish by
6 ordinance, local law, or appropriate resolution a fiscal year for the operations of the local
7 government" and that counties "shall adopt and operate under an annual balanced
8 budget" to be adopted by ordinance or resolution; and

9 **WHEREAS**, O.C.G.A. § 36-81-3 further provides that a county may amend its
10 budget to adapt to changing governmental needs during the budget period; and

11 **WHEREAS**, O.C.G.A. § 36-81-3(d) provides that amendments shall be made as
12 follows:

13 (1) Any increase in appropriation at the legal level of control of the local
14 government, whether accomplished through a change in anticipated revenues in
15 any fund or through a transfer of appropriations among departments, shall
16 require the approval of the governing authority. Such amendment shall be
17 adopted by ordinance or resolution;

18 (2) Transfers of appropriations within any fund below the local government's legal
19 level of control shall require only the approval of the budget officer; and

20 (3) The governing authority of a local government may amend the legal level of
21 control to establish a more detailed level of budgetary control at any time during
22 the budget period. Said amendment shall be adopted by ordinance or resolution;
23 and

24 **WHEREAS**, the legal level of control for Fulton County is the departmental level;
25 and

26 **WHEREAS**, on January 29, 2025 via Item 25-0070, the Board of Commissioners
27 of Fulton County ("BOC") adopted the 2025 fiscal year budget; and

28 **WHEREAS**, the 2025 fiscal year budget includes a budget of \$5,161,258 for
29 Magistrate Court; and

30 **WHEREAS**, the 2025 fiscal year budget for Magistrate Court does not include
31 the requested \$611,939 budget enhancement for staffing needs for the entirety of 2025
32 as identified in the Proposed Budget submitted on November 15, 2024; and

33 **WHEREAS**, on August 6, 2025, the Finance Department presented the mid-year
34 budget review via Item 25-0564, which indicated the County is currently projected to
35 have \$69 million in underruns in the 2025 fiscal year budget due to projected actual
36 revenue being greater than earlier estimates and projected actual expenses being less
37 than earlier estimates; and

WHEREAS, according to the Finance Department's presentation, the excess underruns will increase the fund balance beyond the amount of 16.66% of budgeted expenses as required by Fulton County Code Section 102-290; and

WHEREAS, the BOC finds it to be in the best interests of the County to utilize a portion of the underruns to increase the departmental budget for Magistrate Court to fund staffing needs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Fulton County that, pursuant to O.C.G.A. § 36-81-3(d), the current budget is to be amended by transferring \$178,000 from available resources to the Magistrate Court to fund staffing needs for the last three and a half months of 2025.

BE IT FURTHER RESOLVED that the Finance Department is directed to identify the appropriate departments and funding lines for effectuating such transfer and place the resulting budget soundings item on the agenda of the next Board of Commissioners meeting for approval.

BE IT FINALLY RESOLVED THAT all resolutions or parts thereof in conflict herewith are hereby repealed.

SO PASSED AND ADOPTED, this ____ day of September, 2025.

FULTON COUNTY

BOARD OF COMMISSIONERS

Sponsored by:

Moraima Ivory, Commissioner

District 4

Dana Barrett, Commissioner

District 3

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Marvin Arrington, Jr.,
Commissioner
District 5

ATTEST:

Tonya Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney