

1 AN ORDINANCE TO AMEND CHAPTER 101 (GENERAL PROVISIONS AND COUNTY  
2 GOVERNING AUTHORITY), ARTICLE 2 (COUNTY GOVERNING AUTHORITY),  
3 DIVISION I (GENERALLY), TO CREATE A NEW SECTION 101-76 OF THE FULTON  
4 COUNTY CODE OF LAWS TO DEFINE AND PROVIDE A PROCEDURE FOR THE  
5 BOARD OF COMMISSIONERS TO MAKE DISTRICT NOMINATIONS TO THE  
6 VARIOUS BOARDS, COMMISSIONS, TASKFORCES, COMMITTEES, COUNCILS  
7 AND AUTHORITIES AFFILIATED WITH, OR OPERATING ON BEHALF OF FULTON  
8 COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

9  
10 **WHEREAS**, the duly elected governing authority of Fulton County, Georgia is the  
11 Fulton County Board of Commissioners; and

12 **WHEREAS**, the various boards, commissions, taskforces, committees, councils  
13 and authorities operating on behalf of Fulton County play a vital role in supporting and  
14 furthering the interests of Fulton County and its citizens; and

15 **WHEREAS**, the Board of Commissioners routinely nominates individuals or  
16 commissioners to the various boards, commissions, taskforces, committees, councils,  
17 and authorities operating within Fulton County as a *“District Appointment”*; and

18 **WHEREAS**, historically, where the establishing legislation states that each  
19 member of the Board of Commissioners gets to make a nomination, it has been the  
20 practice and custom of the Clerk to the Commission to designate each such nomination  
21 as a *District Appointment*, with each commissioner getting to nominate one person  
22 subject to confirmation by the full Board of Commissioners typically via placement on the  
23 Consent Agenda; and

24 **WHEREAS**, the Board of Commissioners finds that the historical use of the phrase  
25 *“District Appointment”* by the Clerk to the Commission on the published Agenda should  
26 be more appropriately regarded as and renamed as *“District Nomination,”* wherein a  
27 District Commissioner makes the recommendation, and the members of the full Board of  
28 Commissioners votes on this nomination; and

1           **WHEREAS**, the Board of Commissioners desires to define and provide a  
2 procedure for the *District Nominations* of individuals or commissioners to the various  
3 boards, commissions, taskforces, committees, councils, and authorities operating within  
4 Fulton County; and

5           **WHEREAS**, a *District Nomination*, after appointment, will serve at the pleasure of  
6 the District commissioner; and

7           **WHEREAS**, the term of a *District Nomination*, after appointment, will end when the  
8 District commissioner's term ends, but the appointee may continue to serve until a  
9 replacement is appointed; and

10          **WHEREAS**, the Board of Commissioners desires to include a process for removal  
11 of a District Nomination, once appointed; and

12          **WHEREAS**, under section (a) its home rule powers (i.e., GA CONST Art. 9, § 2, ¶  
13 I(a)), the Board of Commissioners has authority to adopt reasonable ordinances,  
14 resolutions, or regulations relating to the County's affairs for which no provision has been  
15 made by general law and which are not inconsistent with the Constitution or any local law  
16 applicable thereto.

17          **NOW, THEREFORE, BE IT ORDAINED**, that the Fulton County Board of  
18 Commissioners hereby amends Chapter 101 (General Provisions and County Governing  
19 Authority), Article 2 (County Governing Authority), Division I (Generally), to create a new  
20 Section 101-76 of the Fulton County Code of Laws for the Board of Commissioners to  
21 define and provide a procedure to make District Nominations to the various boards,  
22 commissions, taskforces, committees, councils and authorities affiliated with, or operating

1 on behalf of Fulton County, Georgia, as reflected in Exhibit "A," attached hereto and  
2 incorporated herein by reference.

3 **BE IT FURTHER ORDAINED**, that a *District Nomination* shall be defined as the  
4 situation(s) in which the establishing legislation of a board, commission, taskforce,  
5 committee, council, or authority provides each member of the Board of Commissioners  
6 the responsibility to make a nomination to the relevant body, and in such cases, each  
7 District commissioner shall have the opportunity to nominate an individual subject to the  
8 full Board of Commissioners voting on the nomination.

9 **BE IT FURTHER ORDAINED**, that a District Nomination, after appointment by the  
10 Board of Commissioners will serve at the pleasure of the District commissioner.

11 **BE IT FURTHER ORDAINED**, that the term of a District Nomination, after  
12 appointment by the Board of Commissioners, will end when the nominating  
13 commissioner's term ends, but the nominee may continue to serve until a replacement is  
14 appointed.

15 **BE IT FURTHER ORDAINED**, upon a District commissioner terminating the term  
16 of an appointee or such appointee's term ends for any reason, the Clerk to the  
17 Commissioner shall send written notice to the appointee stating that his/her term has  
18 ended, with the chair of the affected organization and the District commissioner being  
19 copied on the notice.

20 **BE IT FURTHER ORDAINED**, that all nominations will be made in accordance  
21 with applicable state law, county ordinance or resolution that created the organization,  
22 and where there is a conflict with this Ordinance, the aforementioned authorities shall  
23 control over this Ordinance; and



1  
2 **EXHIBIT A**

3 **Sec. 101-76 – Procedure for district nominations by the board of commissioners of individuals or**  
4 **commissioners to boards, commissions, taskforces, committees, councils and**  
5 **authorities.**

6 The following procedure shall be used whenever it becomes necessary for the board of  
7 commissioners to make a district nomination of an individual or a commissioner to a board, commission,  
8 taskforce, committee, council and authority.  
9

10 A. District nominations

- 11  
12 (1) District nomination shall be defined as the situation(s) in which the establishing  
13 legislation of a board, commission, taskforce, committee, council, or authority provides  
14 each member of the board of commissioners with the responsibility to make a  
15 nomination to the relevant body, and in such cases, each district commissioner shall  
16 have the opportunity to nominate an individual subject to the full board of  
17 commissioners voting on the nomination. These nominations may appear on the  
18 consent agenda of committee of the whole work sessions and on the consent agenda  
19 at a regular meeting.  
20  
21 (2) Where a total of 7 appointments are to be made with each commissioner getting to  
22 make a nomination, they shall be considered district appointments and each  
23 commissioner shall be entitled to nominate the requisite number of district  
24 appointments. If there is a vacancy and there is no district commissioner at that time,  
25 then the procedure for making a full board appointment found elsewhere in the Fulton  
26 County code shall apply to the appointment.  
27  
28 (3) A district nomination once appointed, shall serve at the pleasure of the District  
29 commissioner and may serve until the district commissioner's term ends. Unless  
30 provided otherwise in any replacement by the District commissioner, the nominee may  
31 continue to serve until a replacement is appointed. Upon a district commissioner  
32 terminating the term of an appointee or such appointee's term ends for any reason, the  
33 clerk to the commissioner shall send written notice to the appointee stating that his/her  
34 term has ended, with the chair of the affected organization and the district  
35 commissioner being copied on the notice.  
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