

1 **AN ORDINANCE TO AMEND CHAPTER 101 (GENERAL PROVISIONS AND COUNTY**
2 **GOVERNING AUTHORITY), ARTICLE II (COUNTY GOVERNING AUTHORITY),**
3 **DIVISION 1 (GENERALLY) OF THE FULTON COUNTY CODE OF ORDINANCES**
4 **RELATING TO BUDGETARY CONTROLS FOR MEMBERS OF THE BOARD OF**
5 **COMMISSIONERS TO CREATE A NEW FULTON COUNTY CODE SUBSECTION 101-**
6 **38(f) ON USES OF COMMISSIONERS' BUDGETS; AND FOR OTHER PURPOSES.**
7

8 **WHEREAS**, Fulton County's 2021-2025 Strategic Plan sets forth one of its six
9 strategic priorities as open and responsible government; and

10 **WHEREAS**, one of the greatest responsibilities of the members of the Board of
11 Commissioners is that of being good stewards of the public funds entrusted to them for
12 public use; and

13 **WHEREAS**, as stewards of public funds, the Board of Commissioners desires to
14 establish and maintain certain budgetary controls for its members and the administration
15 of their individual offices; and

16 **WHEREAS**, on October 16, 2002, the Board of Commissioners approved a
17 Resolution, otherwise known as the "Edwards Resolution," which established certain
18 budgetary controls, relating to the members of the Board of Commissioners and the
19 staffing and administration of their individual offices; and

20 **WHEREAS**, the Edwards Resolution is codified at Fulton County Code ("FCC") §
21 101-38; and

22 **WHEREAS**, on May 4, 2011, the Board of Commissioners approved a Resolution,
23 otherwise known as the "Eaves Resolution," which amended certain provisions of the
24 Edwards Resolution and certain budgetary controls, relating to the members of the Board
25 of Commissioners and the staffing and administration of their individual offices; and

1 **WHEREAS**, on December 19, 2018, the Board of Commissioners approved a
2 Resolution which amended subsection (d) of FCC § 101-38, relating to the members of
3 the Board of Commissioners and the annual travel budget allocated to each
4 commissioner; and

5 **WHEREAS**, Municode does not currently reflect all of the aforementioned
6 referenced changes to FCC § 102-38; however, these prior legislative actions by the
7 Board of Commissioners are mentioned herein to provide an accurate record of the
8 amendments to FCC § 101-38, to be updated by Municode; and

9 **WHEREAS**, the Board of Commissioners finds it to be in the best interest of the
10 public to amend FCC § 101-38 to provide additional controls on the permissible uses of
11 Commissioners' budgets.

12 **NOW, THEREFORE, BE IT ORDAINED**, that the Fulton County Board of
13 Commissioners hereby amends Section 101-38 of Chapter 101, Article II, Division 1 of
14 the Fulton County Code of Ordinances, to create a new Subsection §101-38(f) thereof,
15 which when amended shall read as follows:

16 Sec. 101-38. - Budgetary controls over expenses.

- 17 (a) *Staffing*. All staffing for each individual commissioner's office shall exist and be implemented in
18 accordance with the provisions contained in exhibit A attached to the resolution adopted on February
19 17, 1988, and incorporated herein entitled "Commissioner's Personal Staff Members." Each
20 commissioner may have his or her clerical staff persons selected with the assistance of the clerk to
21 the commission.
- 22 (b) *Office cost centers*. The director of finance immediately shall establish a separate cost center for each
23 commissioner's office with separate expense accounts for furniture, equipment, stationery, postage,
24 long distance telephone charges, and general office supplies. The commission chairperson is allocated
25 an annual budget for his or her office's cost center in the amount of \$10,000.00, and each other
26 commissioner is allocated an annual cost center budget of \$6,000.00.

1 (c) *Transportation.* The county shall lease an automobile for the use of the commission chairperson. The
2 county's payment obligation under said lease shall not exceed \$350.00 per month. The county also
3 shall pay for gasoline, maintenance, and repair for said automobile. Each other commissioner may
4 utilize an automobile from the county motor pool for transportation as needed in order to accomplish
5 specific commission-related business (which purpose and the expected duration thereof shall be so
6 designated at the time said automobile is checked out from the motor pool). At the conclusion of each
7 said use, said commissioner shall be reimbursed by the county for all documented expenses (e.g.,
8 gasoline, oil, tire repair, etc.) incurred in connection with said use of said automobile by said
9 commissioner. For travel by a commissioner in his or her personal automobile for specific commission-
10 related business, said commissioner shall be reimbursed by the county for incurred mileage expense
11 at the prevailing U.S. Internal Revenue Service rate of allowance. Said commissioner shall submit a
12 written request for said reimbursement and shall designate therein the specific commission-related
13 purpose for said travel. The county shall pay no commissioner automobile expenses or charges except
14 as provided in this subsection. Other than as provided in this subsection for the commission
15 chairperson, the county shall not lease automobiles for the use of commissioners. The county
16 manager, county attorney, and finance director hereby are authorized and directed immediately to
17 review all existing such automobile leases and to negotiate their cancellations in such a manner that
18 the county will not be prejudiced. Any such currently leased automobiles for which such lease
19 cancellation cannot be achieved shall be assigned to the county motor pool for general use.

20 (d) *Travel.* Each commissioner is allocated an annual travel budget of \$50,000.00 for specific
21 commission-related business outside of Fulton County, including professional conferences and
22 conventions. The finance director shall establish a separate travel account for each commissioner.
23 Travel per diem for food and lodging shall be paid from said travel accounts when documented by the
24 submission of receipts or other proofs of payment of said incurred expenses. Prior to undertaking each
25 period of county travel status hereunder, said commissioner shall submit a written memorandum of
26 travel to be maintained by the finance director with said commissioner's travel account. Said
27 memorandum of travel shall specifically designate the travel destinations, the commission-related
28 business and purposes of said travel, and the planned duration of said travel. Said memorandum shall
29 also comply with Fulton County's Personnel Policy and Procedures for travel, training, parking
30 automobile allowance and mileage reimbursement, No. 209-16. Funds allocated to annual travel
31 budgets may be transferred from the travel expense account to any other operating account of the
32 commissioner's office. Funds from the operations accounts, other than risk management-related
33 accounts, may be transferred into the travel and training budget.

34 (e) *Monthly report.* The finance director shall provide to each commissioner a monthly budget status
35 report regarding all of said commissioner's accounts.

36 (f) Miscellaneous.

37 (1) There shall be no expenditures permitted from County Commissioners' Budgets to
38 provide for:

39 (a) Emcees, Disc Jockeys or Master/Mistress of Ceremonies;

40 (b) Musicians; or

41 (c) Any expenditures (including all party related expenses) for personal
42 parties or events, including but not limited to birthdays, anniversaries, weddings, or
43 principally for the benefit or recognition of the commissioner, other elected officials or
44 candidates for elected office.

45 (2) Commissioners shall be personally responsible for payment of standard rental and
46 usage fees of county facilities for items described in subsection (f)(1)(c) of this part and
47 standard fees shall not be waived.

(3) The County Department of External Affairs staff shall not promote or provide coverage for events described in subsection (f)(1)(c) of this part, unless otherwise authorized to do so by the Board of Commissioners.

(4) The County Department of Real Estate and Asset Management (DREAM) shall not provide county assets to promote or provide coverage for events described subsection (f)(1)(c) of this part, unless otherwise authorized to do so by the Board of Commissioners.

BE IT FINALLY ORDAINED, that this Ordinance shall become effective

when adopted, and that all Ordinances and parts of ordinances in conflict with this

Ordinance, are hereby repealed to the extent of the conflict.

PASSED AND ADOPTED by the Board of Commissioners of Fulton County,

Georgia this _____ day of _____, 2022.

**FULTON COUNTY BOARD OF
COMMISSIONERS
SPONSORED BY:**

Bob Ellis, Commissioner
District 2

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney