

1 **A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS TO DISSOLVE**
2 **THE HOUSING AUTHORITY OF FULTON COUNTY; AND FOR OTHER PURPOSES.**
3

4 **WHEREAS**, the duly elected governing body of Fulton County, Georgia is the Fulton
5 County Board of Commissioners (the “BOC”); and

6 **WHEREAS**, the General Assembly in 1937 enacted the Housing Authorities Law (the
7 “Housing Authority Law”) to create a “public body corporate and politic” in every Georgia city and
8 county known as a “housing authority,” with said law currently codified at O.C.G.A. § 8-3-1 *et*
9 *seq.*; and

10 **WHEREAS**, the Housing Authority Law bars a housing authority from transacting any
11 business or exercising any power until the relevant governing body, by resolution, declares there
12 is a need for the housing authority to function in such city or county, and finds that, within the
13 boundaries of the local government, unsanitary or unsafe housing exists or there is a shortage
14 of safe or sanitary affordable housing for lower income citizens, O.C.G.A. §§ 8-3-4, 8-3-5; and

15 **WHEREAS**, on January 19, 1972, the BOC adopted the necessary Resolution creating
16 the Housing Authority of Fulton County (the “HAFC”) and appointed the HAFC’s board, with the
17 members of this board known as Commissioners (hereinafter, “HAFC Commissioners”); and

18 **WHEREAS**, on November 15, 2023, several HAFC Commissioners and staff members
19 came before the BOC to speak in support of the removal of an HAFC Commissioner based on
20 reported inefficiency and misconduct; and

21 **WHEREAS**, HAFC Commissioners and staff reported that an HAFC Commissioner
22 regularly disrupted HAFC meetings to the point of requiring a security officer, displayed conduct
23 that was aggressive and unprofessional at an HAFC related professional conference, and
24 sexually harassed staff by taking and posting one staff member’s photograph without consent
25 and entering staff offices after being instructed by the HAFC Chair to refrain from contact; and

1 **WHEREAS**, HAFC Commissioners and staff members informed the BOC that the HAFC
2 is unable to conduct regular business because it must frequently cancel or end meetings
3 because of an HAFC Commissioner's actions; and

4 **WHEREAS**, the attorney for the HAFC conveyed a request to the BOC that a particular
5 HAFC Commissioner be removed via a letter dated June 6, 2023 containing charges against
6 the HAFC Commissioner; and

7 **WHEREAS**, the attorney for the HAFC served a copy of said charges on the HAFC
8 Commissioner on June 15, 2023; and

9 **WHEREAS**, electronic notice was provided to the HAFC Commissioner on June 21, 2023
10 of a hearing on July 20, 2023; and

11 **WHEREAS**, the HAFC held a hearing on July 20, 2023 regarding the removal of the
12 HAFC Commissioner with Retired Judge Thelma Wyatt Cummings Moore serving as the
13 hearing officer; and

14 **WHEREAS**, the hearing officer determined that removal of the HAFC Commissioner was
15 warranted; and

16 **WHEREAS**, the report of the hearing officer dated August 8, 2023 was conveyed to the
17 BOC recommending removal of the HAFC Commissioner pursuant to O.C.G.A. § 8-3-53; and

18 **WHEREAS**, failure of the BOC to take action to remove the HAFC Commissioner
19 prevents the HAFC from conducting normal business; and

20 **WHEREAS**, the public does not benefit from the HAFC if the BOC continues to allow the
21 prevention of HAFC business by failing to remove a disruptive HAFC Commissioner for cause;
22 and

23 **WHEREAS**, the BOC finds it to be in the best interest of the public to dissolve the HAFC

1 if it can no longer conduct business.

2 **NOW, THEREFORE, BE IT RESOLVED**, that the BOC hereby dissolves the HAFC due
3 to its inability to carry out its duties and functions.

4 **BE IT FURTHER RESOLVED**, that upon adoption, the Clerk to the Commission shall
5 deliver a copy of this Resolution to the Chair of the HAFC.

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

9 **SO PASSED AND ADOPTED** by the Board of Commissioners of Fulton County, Georgia,
10 this 6th day of December, 2023.

11 **FULTON COUNTY BOARD**
12 **OF COMMISSIONERS**

13
14 Sponsored By:

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18 _____
19 Marvin S. Arrington, Jr., Commissioner
20 District 5

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23 **ATTEST:**

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25
26 _____
27 Tonya R. Grier
28 Clerk to the Commission
29

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31 **APPROVED AS TO FORM:**

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34 _____
35 Y. Soo Jo
36 Fulton County Attorney