

1 **A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS, TO RE-**
2 **ESTABLISH A BUDGET COMMISSION TO ASSIST IN THE DEVELOPMENT OF THE**
3 **COUNTY'S ANNUAL BUDGET; TO PROVIDE FOR ITS PURPOSE, COMPOSITION,**
4 **SELECTION, ELIGIBILITY, AND DUTIES; TO AMEND SECTION 2-261 OF THE**
5 **FULTON COUNTY CODE OF ORDINANCES; TO ADD SECTION 2-263 OF THE**
6 **FULTON COUNTY CODE OF ORDINANCES; TO REPEAL CONFLICTING**
7 **RESOLUTIONS; AND FOR OTHER PURPOSES.**

8
9 **WHEREAS**, the Board of Commissioners of Fulton County, Georgia (the "Board")
10 is charged with the annual adoption of the County's operating and capital budgets; and

11 **WHEREAS**, from 1953 until 2016, Fulton County's budgeting process was
12 prescribed by a 1953 local law applicable to densely populated counties and enacted by
13 the Georgia General Assembly (1953 Ga. L. 2815), which entrusted the creation and
14 proposal of the annual budgets to a county budget commission; and

15 **WHEREAS**, the budget commission consisted of the individuals holding the county
16 positions (as they are known currently) of the chairman of the board of commissioners,
17 the county manager, and the chief financial officer; and

18 **WHEREAS**, in 2016, the Georgia General Assembly repealed the 1953 local law,
19 which had the effect of authorizing Fulton County to establish its own budget ordinance
20 pursuant to O.C.G.A. § 36-81-3; and

21 **WHEREAS**, on June 15, 2016, Fulton County enacted a budget ordinance at
22 Fulton County Code ("FCC") Sec. 2-261 and 2-262 through Resolution 16-0465, to
23 establish a process for the proposal and adoption of the budget and to ensure
24 expenditures are made in accordance with the budget; and

25 **WHEREAS**, the 2016 budget ordinance maintained the use of a budget
26 commission composed of the chairman of the board of commissioners, the county
27 manager, and the chief financial officer; and

1 **WHEREAS**, on August 15, 2018, through Resolution 18-0577 (the “Prior Budget
2 Resolution”), the Board of Commissioners (“BOC”) opted to replace the budget
3 commission with a process, codified in FCC Section 2-261, where the county manager
4 solely creates and submits the proposed budget but is directed to “include the budget
5 requests of all of the county’s departments, agencies, elected officials, and authorities”
6 along with the proposed budget; and

7 **WHEREAS**, the Board determines that it is in the best interest of Fulton County to
8 reconstitute a Budget Commission in a modified form that combines the administrative
9 and financial expertise of the County Manager and Chief Financial Officer with earlier and
10 ongoing input from members of the Board, structured to ensure balanced representation
11 from both the northern and southern portions of Fulton County; and

12 **WHEREAS**, the Board desires to establish clear procedures governing the
13 composition, selection, eligibility, and duties of such Budget Commission, while
14 preserving the full Board's exclusive authority to adopt the County's annual budget.

15 **NOW, THEREFORE, BE IT RESOLVED** that the Fulton County Board of
16 Commissioners hereby repeals Resolution 18-0577, and amends F.C.C. Sec. 2-261 to
17 reestablish the budget commission as part of the budget development process as follows:

18 **Sec. 2-261, - Proposal and adoption of the budget.**

19 The ~~county manager~~ budget commission shall submit or cause to be
20 submitted annually to the board of commissioners, by no later than
21 November 15, a proposed budget governing expenditures of all county
22 funds, including capital outlay and public works projects, for the following
23 year. The ~~county manager's~~ budget commission’s submission of the
24 proposed budget shall include the budget requests of all of the county's
25 departments, agencies, elected officials and authorities who receive funding
26 from the county through the budget process. This proposed budget will
27 serve, as presented, as the operating budget until a final budget is adopted.
28 The procedures for budget preparation, submission to the governing

1 authority, review by the governing authority, public review, notice, and
2 hearings shall be as provided for in Chapter 81 of Title 36 of the O.C.G.A.
3 [O.C.G.A. § 36-81-1 et seq.]. The budget shall then be adopted by the board
4 of commissioners by no later than the second regular meeting in January of
5 the year to which it applies, which budget, when so adopted by the board of
6 commissioners, shall constitute the board of commissioners' appropriation
7 of all funds for such year.
8

9 The county manager is authorized to take all administrative steps
10 necessary to implement the budget as approved. The budget so adopted
11 may be revised during the year only by formal action of the board of
12 commissioners in a regular meeting which has been advertised in
13 accordance with subsection (e) of Code Section 36-81-5 of the O.C.G.A.
14 [O.C.G.A. § 36-81-5] and no increase shall be made in such budget without
15 provision also being made for financing such increase. The proposed
16 budget submitted by the ~~county manager~~ budget commission shall be
17 accompanied by a report containing information and data required by
18 subsection (b) of Code Section 36-81-5 of the O.C.G.A. [O.C.G.A. § 36-81-
19 5]. A copy of the proposed budget shall be transmitted to the county clerk
20 of the commission of Fulton County on the date it is submitted to the board
21 of commissioners. Upon adoption of the budget, a copy shall be transmitted
22 to the county clerk of the commission of Fulton County.
23

24 **BE IT FURTHER RESOLVED** that the Fulton County Board of Commissioners
25 hereby adopts a new section of the Fulton County Code, **Section 2-263. – Budget**
26 **commission.**, outlining the purpose, composition, selection, eligibility and duties of the
27 budget commission, as follows:

28 **Section 2-263. – Budget commission.**

29 (a) **Purpose.**

30
31 The purpose of the budget commission is to assist in the development
32 of the county's proposed annual operating and capital budgets by
33 combining the professional expertise of the county manager and chief
34 financial officer with the policy priorities of the full board of
35 commissioners, as represented by two commissioners selected in
36 accordance with this code section.
37

38 (b) **Composition.**

39 The budget commission shall be composed of four (4) members:
40

- (1) The county manager;
- (2) The chief financial officer;
- (3) One member of the board of commissioners representing commission district 1, 2, or 3 (the "Northern Representative"); and
- (4) One member of the board of commissioners representing commission district 4, 5, or 6 (the "Southern Representative").

(c) Selection of commissioner members.

- (1) Prior to the commencement of each annual budget development cycle, the commissioners representing Districts 1, 2, and 3 shall meet and, by majority vote of those three members, nominate and select one of their number to serve as the Northern Representative for that cycle.
- (2) Prior to the commencement of each annual budget development cycle, the commissioners representing Districts 4, 5, and 6 shall meet and, by majority vote of those three members, nominate and select one of their number to serve as the Southern Representative for that cycle.
- (3) Selection under this code section shall occur at a regularly scheduled and duly noticed board of commissioners meeting, and the result shall be entered into the official minutes of the board of commissioners.
- (4) Where application of the Eligibility code subsection (d) leaves only one eligible commissioner within a district grouping described in paragraph (1) or (2) of this subsection, that commissioner shall serve as the applicable Representative without the necessity of nomination or vote.

(d) Eligibility; election-year exclusion.

- (1) A commissioner shall have served on the board of commissioners for at least one (1) year to be eligible to serve on the budget commission.
- (2) A commissioner whose current term of office expires in the same calendar year in which the budget commission is developing the budget for the forthcoming fiscal year shall not be eligible to serve as the Northern Representative or Southern Representative for that budget cycle.

1
2 i. By way of illustration, a commissioner whose term expires in
3 2026 shall not be eligible to serve on the budget commission
4 convened to develop the Fiscal Year 2027 budget,
5 notwithstanding that such development begins in 2026 and
6 continues into 2027.
7

8 (3) In the event that every commissioner within a district grouping
9 described in paragraphs (c)(1) or (c)(2) is simultaneously
10 ineligible under this section for a given budget cycle, the full board
11 of commissioners shall, by majority vote, either (i) permit the
12 immediately preceding Northern Representative or Southern
13 Representative, as applicable, to continue to serve in a holdover
14 capacity for that cycle, or (ii) select a Representative from among
15 the sitting commissioners representing that district grouping,
16 notwithstanding the exclusion in paragraph (2) of this subsection.
17

18 **(e) Vice chair.**

19 (1) If the vice chair of the board of commissioners is not, in a given
20 budget cycle, ineligible under subsection (d), the vice chair shall
21 automatically serve as the Northern Representative or Southern
22 Representative, as applicable based on the vice chair's district,
23 without the necessity of nomination or election under subsection
24 (c).
25

26 (2) If the vice chair is ineligible under subsection (d) for a given
27 budget cycle, the vice chair shall be excluded from service on the
28 budget commission for that cycle in the same manner as any
29 other commissioner, and the applicable district grouping shall
30 select its Representative pursuant to subsection (c).
31

32 (3) The district grouping not represented by the vice chair shall select
33 its Representative pursuant to subsection (c) and subsection (d),
34 regardless of whether the vice chair serves under paragraph (1)
35 of this subsection.
36

37 **(f) Administrative duties of the county manager and chief financial**
38 **officer.**
39

40 The county manager and the chief financial officer shall retain
41 administrative responsibility for budget preparation and presentation,
42 including preparing budget documents, soliciting budget proposals from
43 county departments, scheduling administrative budget meetings, and
44 hosting meetings with departments to discuss proposed budgets and
45 priorities.

1
2 **(g) Duties of commissioner members.**

3 The Northern Representative and Southern Representative shall:

- 4 (1) solicit budget priorities, requests, and concerns from all members
5 of the board of commissioners, including those not serving on the
6 budget commission, through individual meetings, written
7 submissions, or regular check-ins;
8
9 (2) represent the interests and priorities of their respective district
10 grouping throughout the budget development process;
11
12 (3) participate directly and continuously with the county manager and
13 chief financial officer throughout the budget development
14 process, including review of departmental requests, revenue and
15 expenditure assumptions, specific budgetary requests from other
16 elected officials, and capital planning;
17
18 (4) report periodically to the full board of commissioners on the status
19 of budget development; and
20
21 (5) participate with the county manager and chief financial officer in
22 preparing the recommended budget for presentation to the full
23 board of commissioners.
24

25 **(h) Decision-making; advisory nature.**

- 26
27 (1) The budget commission shall operate by consensus rather than
28 as a formal voting body as it works toward a joint budgetary
29 presentation to the full board.
30
31 (2) Where differences arise or consensus on an issue cannot be
32 reached, the County Manager shall determine the best approach
33 forward for presenting a proposed budget to the full board of
34 commissioners.
35
36 (3) Nothing in this code section shall be construed to grant the
37 budget commission authority to adopt, amend, or approve the
38 County budget. Final authority to adopt the annual budget
39 remains exclusively with the full board of commissioners,
40 consistent with O.C.G.A. § 36-81-1 et seq. and other applicable
41 law.
42

43 **(i) Presentation to the board of commissioners.**

The recommended budget developed by the budget commission shall be presented jointly to the full board of commissioners by the county manager, the chief financial officer, the Northern Representative, and the Southern Representative, in accordance with the applicable budget calendar.

(j) Meeting schedule.

The budget commission shall convene on a schedule established by the county manager and chief financial officer in accordance with the applicable budget calendar.

BE IT FURTHER RESOLVED, that the Clerk to the Commission, with the assistance of the County Attorney, shall take all steps necessary to ensure codification of this legislative change within the Fulton County Code.

BE IT FURTHER RESOLVED that if any section, subsection, paragraph, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution.

BE IT FINALLY RESOLVED that this Resolution shall become effective immediately upon adoption, and all other resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED by the Board of Commissioners of Fulton County, Georgia
this day of , 2026.

FULTON COUNTY BOARD OF COMMISSIONERS

SPONSORED BY:

Bob Ellis, Commissioner
(District 2)

CO-SPONSORED BY:

Khadijah Abdur-Rahman, Vice Chair
(District 6)

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney