

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

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

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

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

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

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

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

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29       **WHEREAS**, the legal level of control for Fulton County is the departmental level;  
30     and

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

34       **WHEREAS**, the 2025 fiscal year budget includes a budget of \$5,161,258 for

1 Magistrate Court; and

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

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

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

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

16       **NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of  
17 Fulton County that, pursuant to O.C.G.A. § 36-81-3(d), the current budget is to be  
18 amended by transferring \$611,939 from available resources to Magistrate Court to fund  
19 staffing needs.

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

**BE IT FINALLY RESOLVED THAT** all resolutions or parts thereof in conflict

2 herewith are hereby repealed.

3                   **SO PASSED AND ADOPTED**, this    day of August, 2025.

# **FULTON COUNTY BOARD OF COMMISSIONERS**

**Sponsored by:**

**Moraima Ivory, Commissioner  
District 4**

**ATTEST:**

**Tonya Grier  
Clerk to the Commission**

**APPROVED AS TO FORM:**

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Y. Soo Jo  
County Attorney