

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 PROVIDE PROCEDURES FOR DISTRICT AND FULL
5 BOARD APPOINTMENTS TO THE BOARDS, COMMISSIONS, TASKFORCES,
6 COMMITTEES, COUNCILS AND AUTHORITIES AFFILIATED WITH, OR OPERATING
7 ON BEHALF OF FULTON COUNTY, GEORGIA, TO PROVIDE THAT ALL
8 APPOINTEES SERVE AT THE PLEASURE OF EITHER THE NOMINATING
9 COMMISSIONER FOR DISTRICT APPOINTMENTS OR THE BOARD OF
10 COMMISSIONERS FOR FULL BOARD APPOINTMENTS; AND FOR OTHER
11 PURPOSES.
12

13 WHEREAS, the duly elected governing authority of Fulton County, Georgia is the
14 Fulton County Board of Commissioners; and

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

18 WHEREAS, the enabling legislation of certain boards, commissions, taskforces,
19 committees, councils, and authorities operating within Fulton County authorize each
20 commissioner to make a nomination known as a District Nomination, subject to
21 appointment by a vote of the full body; and

22 WHEREAS, a list of the current boards, commissions, taskforces, committees,
23 councils, and authorities that are created and controlled under the sole authority of the
24 Board of Commissioners is attached hereto as Exhibit A and incorporated by reference;
25 and

26 WHEREAS, enabling legislation of certain boards, commissions, taskforces,
27 committees, councils, and authorities operating within Fulton County authorize one or
28 more full board appointments; and

29 WHEREAS, the Board of Commissioners desires to define and provide a

1 procedure for the appointment and removal of individuals to the various boards,
2 commissions, taskforces, committees, councils, and authorities operating within Fulton
3 County; and

4 **WHEREAS**, the district nominated appointees, of the current boards,
5 commissions, taskforces, committees, councils, and authorities that are created and
6 controlled under the sole authority of the Board of Commissioners shall serve at the
7 pleasure of the commissioner in that district; and

8 **WHEREAS**, a full board appointee, of the boards, commissions, taskforces,
9 committees, councils, and authorities that are created and controlled under the sole
10 authority of the Board of Commissioners shall serve at the pleasure of the Board of
11 Commissioners; and

12 **WHEREAS**, under section (a) its home rule powers (i.e., GA CONST Art. 9, § 2, ¶
13 1(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 provide the policies and procedures for district and full board appointments to the boards,
22 commissions, taskforces, committees, councils and authorities affiliated with, or operating
23 on behalf of Fulton County, Georgia, as reflected in Exhibit B, attached hereto and

1 incorporated herein by reference.

2 **BE IT FURTHER ORDAINED**, that a district nominated appointee of the boards,
3 commissions, taskforces, committees, councils, and authorities that are created and
4 controlled under the sole authority of the Board of Commissioners shall serve at the
5 pleasure of the district commissioner.

6 **BE IT FURTHER ORDAINED**, that a full board appointee of the boards,
7 commissions, taskforces, committees, councils, and authorities that are created and
8 controlled under the sole authority of the Board of Commissioners shall serve at the
9 pleasure of the Board of Commissioners.

10 **BE IT FURTHER ORDAINED**, upon the termination of an appointment to boards,
11 commissions, taskforces, committees, councils, and authorities that are created and
12 controlled under the sole authority of the Board of Commissioners or such appointment
13 ending for any reason, the Clerk to the Commission shall send written notice to the
14 appointee stating that his/her appointment has ended, with the chair of the affected
15 organization being copied on the notice.

16 **BE IT FURTHER ORDAINED**, that all nominations will be made in accordance
17 with applicable state law, county ordinance or resolution that created the organization,
18 and where there is a conflict with this Ordinance, state law shall control over this
19 Ordinance; and

20 **BE IT FINALLY ORDAINED**, that this Ordinance shall become effective upon its
21 adoption and shall apply to all current and future appointees, and that all ordinances or
22 resolutions and parts of ordinances or resolutions in conflict with this Ordinance are
23 hereby repealed to the extent of the conflict.

PASSED AND ADOPTED by the Board of Commissioners of Fulton County,
Georgia, this 10th day of July 2024.

**FULTON COUNTY BOARD OF
COMMISSIONERS**

SPONSORED BY:

Robert L. Pitts, Chairman (At Large)

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney

EXHIBIT A

Administrative Committee of The Fulton County Defined Contribution Plan
Animal Welfare Hearing Board
Audit Committee
Board of Ethics
Board of Trustees of the Fulton County Employees Retirement System
Commission of Disability Affairs
Commission on Elder Affairs
Community Development Block Grant (CDBG) Allocation Process Citizen Review Panel
Fulton County Arts Council
Fulton County Board of Zoning Appeals
Fulton County Citizens Commission on the Environment
Fulton County Community Zoning Board
Fulton County Facilities Corporation
Fulton County HIV/AIDS Prevention, Care and Policy Advisory Committee
Fulton County Reparations Task Force
Fulton County Urban Redevelopment Agency
Fulton County Veterans Empowerment Commission, Inc.
Fulton County Youth Commission
Grievance Review Committee
Other Post-Employment Benefits (OPEB) Trust
Public Facility Naming Advisory Board

1 EXHIBIT B

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

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

9 A. District nominations

- 10
- 11 (1) District nomination shall be defined as the situation(s) in which the establishing
12 legislation of a board, commission, taskforce, committee, council, or authority provides
13 each member of the board of commissioners with the responsibility to make a
14 nomination to the relevant body, and in such cases, each district commissioner shall
15 have the opportunity to nominate an individual subject to the full board of
16 commissioners voting on the nomination. These nominations may appear on the
17 consent agenda of a regular meeting.
18
- 19 (2) Where a total of 7 appointments are to be made with each commissioner responsible
20 to make a nomination, they shall be considered district appointments and each
21 commissioner shall be entitled to nominate the requisite number of district
22 appointments. If there is a vacancy and there is no district commissioner at that time,
23 then the procedure for making a full board appointment shall apply to the appointment.
24
- 25 (3) A district nominated appointee of a board, commission, taskforce, committee, council,
26 or authority that is created and controlled under the sole authority of the board of
27 commissioners shall serve at the pleasure of the district commissioner. Upon a district
28 commissioner terminating the appointment or the appointment ending for any reason,
29 the clerk to the commission shall send written notice to the appointee stating that
30 his/her appointment has ended, with the chair of the affected organization and the
31 district commissioner being copied on the notice.
32
- 33 (4) A full board appointee of a board, commission, taskforce, committee, council, or
34 authority that is created and controlled under the sole authority of the board of
35 commissioners shall serve at the pleasure of the board of commissioners. Upon a
36 majority vote by the board of commissioners terminating the appointment or such
37 appointment ending for any reason, the clerk to the commission shall send written
38 notice to the appointee stating that his/her appointment has ended, with the board of
39 commissioners and the chair of the affected organization being copied on the notice.
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