



Fulton County Board of Commissioners
Agenda Item Summary
 #21-0031

21-0031

BOC Meeting Date
 01/06/21

Requesting Agency
 Commissioners (Arrington)

Commission Districts Affected
 All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Is this a purchasing item?

No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Discussion: Resolution amending Article 2, Division 2, Subpart B of the Fulton County Code of Resolutions, to amend Subsection 118-50 regarding membership and qualifications of the Board of Directors of Development Authority of Fulton County; and for other purposes. **(Arrington)**

Contract & Compliance Information

(Provide Contractor and Subcontractor details.)

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				

Total Contract Value	.
Total M/FBE Values	.
Total Prime Value	.

Fiscal Impact / Funding Source *(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Source of Additional Information *(Type Name, Title, Agency and Phone)*

Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement

Contract Attached: .	Previous Contracts: .		
Solicitation Number: .	Submitting Agency: .	Staff Contact: .	Contact Phone: .

Description:.

FINANCIAL SUMMARY

Total Contract Value:	MBE/FBE Participation:
Original Approved Amount: .	Amount: . %: .
Previous Adjustments: .	Amount: . %: .
This Request: .	Amount: . %: .
TOTAL: .	Amount: . %: .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1: .	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
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KEY CONTRACT TERMS

Start Date: .	End Date: .
Cost Adjustment: .	Renewal/Extension Terms: .

ROUTING & APPROVALS
(Do not edit below this line)

.	Originating Department:	.	Date: .
.	County Attorney:	.	Date: .
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
.	County Manager:	.	Date: .



Atlanta Board of Education 2021 Legislative Priorities

The Atlanta Board of Education advocates for the following priorities for legislative action in the 2021 session of the 156th Georgia General Assembly as well as for policy action by the Georgia State Board of Education and Department of Education. The Board also affirms guiding principles to assist our legislative representatives in responding to other issues that arise during the session.

1. Provide adequate, stable education funding

- Appropriate to school systems adequate funding, including continued full funding of Quality Basic Education.
- Update the school funding formula to more accurately reflect the needs of Georgia's public schools and students and address inequities across the Atlanta Public Schools district.
- Require local fiscal impact statements on all legislation creating new mandates or programs for school systems and all legislation impacting education funding.
- Delay the implementation of any legislation impacting funding or creating new mandates/programs to provide schools and districts with at least one (1) year to adjust budgets, reduce costs and implement.
- Oppose legislative proposals that would divert public school funds away from public schools.

2. Protect the Atlanta Public Schools property tax base to support quality instruction for all students

- Promote the responsibility of all citizens for funding public schools, which provide a common good for our community.
- Support APS's ability to raise funds to support educational equity among its schools.
- Support the passage of legislation that requires measured, incremental corrections of undervalued property assessments.
- Provide for closer state scrutiny of county tax assessment procedures and their impact on public school funding.
- Restrict the issuance of tax abatements by the Development Authority of Fulton County to those projects that would not be developed otherwise.

3. Maximize district autonomy and flexibility over fiscal management issues

4. Prioritize early childhood education to provide aligned, quality programs to all students

- Identify permanent, stable funding sources to expand Georgia prekindergarten to all

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First Reading – 11/2/2020

- eligible four-year-olds
 - Provide for weights in pre-kindergarten lotteries for educationally disadvantaged students, at the discretion of the program operator.
 - Support birth-to-three programs that are aligned with Pre-k to 3rd grade literacy goals.
 - Increase access to high-quality early childhood education opportunities for low-income families.
 - Provide for a consistent, high-quality statewide evaluation system for pre-k and early childhood educators.
 - Clear barriers to sharing data across public and private providers who serve children birth to 3 and to districts receiving data such as birth, income, and foster care records.
- 5. Monitor recommendations of legislative study committees on issues relevant to K-12 education and the interests of school-aged children, especially efforts to recruit and retain male teachers of color**
 - 6. Urge adoption of approach to education legislation that supports district move to autonomy and flexibility**
 - In order to maximize resources, allow districts to use transportation modes other than yellow school buses for transporting students when more efficient modes are available.
 - Support legislative and state agency initiatives that strengthen the benefits of the charter system operating model for school districts.
 - 7. Strengthen the teacher pipeline and teacher quality by providing resources for recruitment and retention (i.e., certification flexibility, compensation, affordable benefits and reliable retirement)**
 - 8. Prioritize continuity and consistency throughout K-12 curriculum**
 - Monitor legislative proposals for changes to state assessment requirements.
 - Monitor state legislative and agency action on curriculum standards.
 - 9. Secure and monitor federal, state and local support of students, schools and families impacted by the COVID-19 pandemic**
 - 10. Secure continued state support of school district autonomy and flexibility over instructional model design resulting from the COVID-19 public health crisis**
 - 11. Strategically support legislation, education-related and broader, designed to address inequities across the City of Atlanta**

Guiding Principles

Adequate Support for Schools and Teachers

Effective teachers and leaders are the most critical factor in achieving the Atlanta Public Schools' mission to graduate students ready for college and career. The Atlanta Board of Education supports measures to attract, retain, and develop effective teachers and leaders. Additionally, in order to improve student performance, the Atlanta Board of Education supports an accountability system that ensures that all students are ready for college and careers.

Accountability should be balanced with appropriate support for schools and teachers and should be focused on student academic growth and graduation rates rather than on punitive actions toward schools, teachers and students. Accountability systems should also balance the need for timely data with the imperative to give teachers the maximum amount of instructional time for teaching and learning. Mandated assessments should be fewer and smarter, exemplifying the following principles: worth taking, high quality, time-limited, fair—and supportive of fairness—in equity in educational opportunity, fully transparent to students and parents, one of multiple measures, and tied to improved learning.

Strong Public School Options

The Atlanta Board of Education believes in strong, high quality public school choices for families and opposes legislation and mandates that divert public resources to for-profit entities, private schools and home study. Providing strong choice options and investing in innovation requires that districts have stability in the policy framework to support quality planning. The Atlanta Board of Education requests that the General Assembly and the state limit unnecessary mid-stream changes to state initiatives.

Local Control & Flexibility

The unique challenges of educating urban students require solutions tailored to the Atlanta context. The Atlanta Board of Education believes that the school district is in the best position to make decisions that affect our schools and communities such as resource allocation, the school calendar, curriculum development, the use of school facilities, and conditions of employment for personnel. The Atlanta Board of Education opposes actions that limit the constitutional authority and autonomy of local school boards and supports actions that provide flexibility in local decision-making. The board also opposes actions that limit the flexibility provided to Georgia charter systems and charter schools.

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1 **A RESOLUTION AMENDING ARTICLE 2, DIVISION 2, SUBPART B OF THE**
2 **FULTON COUNTY CODE OF RESOLUTIONS, TO AMEND SUBSECTION 118-**
3 **50 REGARDING MEMBERSHIP AND QUALIFICATIONS OF THE BOARD OF**
4 **DIRECTORS OF THE DEVELOPMENT AUTHORITY OF FULTON COUNTY; AND**
5 **FOR OTHER PURPOSES.**

6
7 **WHEREAS**, the Fulton County Board of Commissioners has authority, pursuant
8 to the Constitution of the State of Georgia, Article 9, Sec. 2 ¶ 1(a), to adopt reasonable
9 ordinances, resolutions, or regulations relating to its affairs for which no provision has
10 been made by general law and which is not inconsistent with this Constitution or any
11 local law applicable thereto.

12 **WHEREAS**, pursuant to the authority granted by the Development Authorities
13 Law (O.C.G.A. § 36-62-1 et seq.), the Board of Commissioners, on May 16, 1973,
14 adopted a Resolution declaring the need for a Development Authority in Fulton County
15 ("Activating Resolution") and did thereby establish the Development Authority of Fulton
16 County for the purpose of developing and promoting welfare, trade, commerce, industry
17 and employment opportunities in Fulton County, among other purposes; and

18 **WHEREAS**, the May 16, 1973 Activating Resolution set forth that the
19 Development Authority of Fulton County's Board of Directors shall consist of seven (7)
20 members, "each of whom shall be taxpayers of Fulton County and none of whom is an
21 officer or employee of said County;" and

22 **WHEREAS**, on April 15, 1992 the General Assembly amended O.C.G.A. § 36-
23 62-4(a), to change the maximum number of members that shall serve on the board
24 of a development authority to not less than seven (7) and not more than (9); and

25 **WHEREAS**, the activation of Development Authority of Fulton County has been
26 codified in the Fulton County Code of Laws, as Fulton County Code Sections 118-46
27 through 118-49; and

1 **WHEREAS**, Fulton County Code Sections 118-46 through 118-49 did not include
2 a code section pertaining to the composition of the members of Board of Directors as
3 set forth in the Development Authorities Law or the 1973 activating Resolution; and

4 **WHEREAS**, on April 17, 2019, the Board of Commissioners found it necessary to amend
5 the Activating Resolution, as codified in Fulton County Code Sections 118-46 through 118-49,
6 to add a new Fulton Code Section regarding membership and composition of
7 the Board of Directors of the Development Authority of Fulton County, to provide that the
8 Development Authority of Fulton County Board of Directors shall: (a) consist of not less
9 than seven and not more than nine directors and specify how the board
10 of commissioners selects the directors: (b) shall be taxpayers residing in Fulton County, as
11 required by O.C.G.A. § § 36-62-4 and 36-62-5; (c) shall not be officers or employees of
12 Fulton County, the Fulton County Board of Education, or the Atlanta Board of Education;
13 and (d) designate that two members shall be "at-large" members, with one member
14 representing the Fulton County Board of Education and the other "at-large" member
15 representing the Atlanta Board of Education (the "Amendment").

16 **WHEREAS**, it has come to the attention of the Fulton County Board of Commissioners that
17 the Atlanta Board of Education has adopted legislative priorities for the 2021 legislative session,
18 which constitute a direct threat to the Development Authority of Fulton County; and

19 **WHEREAS**, the City of Atlanta and the Atlanta Board of Education have passed
20 resolutions requesting that the Development Authority of Fulton County cease facilitating
21 sale-leaseback tax incentive transactions in the City of Atlanta; and

22 **WHEREAS**, the Fulton County Board of Commissioners now feel that the accommodations
23 provided to the Atlanta Board of Education in the Amendment constitute a conflict of interest for
24 Fulton County; and

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1 **NOW, THEREFORE, BE IT RESOLVED**, by the Fulton County Board of
2 Commissioners that the Amendment to the Activating Resolution for the Development
3 Authority of Fulton County, as codified in Article 2, Division 2, Subpart B of the Fulton County
4 Code of Resolutions, Fulton County Code Sections 118-46 through 118-49,
5 entitled "Development Authority of Fulton County," is hereby amended by
6 revising subsection 118-50, entitled "Board of Directors, Membership and Qualifications," to
7 provide that the Development Authority of Fulton County Board of Directors shall: (a)
8 consist of not less than seven and not more than nine directors; (b) be taxpayers
9 residing in Fulton County, as required by O.C.G.A. §§ 36-62-4 and 36-62-5; (c) shall
10 not be officers or employees of Fulton County, the Fulton County Board of Education or
11 the Atlanta Board of Education; and (d) designate that two members shall be "at-
12 large" members, with one member representing the Fulton County Board of
13 Education, as approved by the Fulton County Board of Commissioners and the other
14 member selected by the Fulton County Board of Commissioners, as reflected in
15 Exhibit "A," attached hereto and incorporated herein by this reference.

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EXHIBIT A

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Sec. 118-50 — Board of Directors, Membership and Qualification

(a) The Board of Directors shall consist of a board of not less than seven and not more than nine directors to be appointed by resolution of the Fulton County Board of Commissioners. Each commissioner shall have one appointment which shall be submitted to the full Board of Commissioners for approval. Two additional members shall be a "at-large" members, with one member representing the Fulton County Board of Education, as approved by the full Board of Commissioners and the other member selected by the full Board of Commissioners.

(b) The members of the Board of Directors shall be taxpayers residing in Fulton County.

(c) The members of the Board of Directors shall not be officers or employees of Fulton County, the Fulton County Board of Education or the Atlanta Board of Education.

Secs. 118-51-118-65. - Reserved.

1 A RESOLUTION AMENDING ARTICLE 2, DIVISION 2, SUBPART B OF THE
2 FULTON COUNTY CODE OF RESOLUTIONS, TO ~~ADD A NEW~~ AMEND
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8 to the Constitution of the State of Georgia, Article 9, Sec. 2 ¶ 1(a), to adopt reasonable
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