

1 **A RESOLUTION APPROVING A SPONSORSHIP AGREEMENT TEMPLATE FOR USE**  
2 **BY THE DEPARTMENT OF ARTS AND CULTURE; AUTHORIZING THE COUNTY**  
3 **MANAGER OR HIS DESIGNEE TO SIGN SUCH AGREEMENTS WHERE FUNDING IS**  
4 **IN THE APPROVED BUDGET OF THE DEPARTMENT OF ARTS AND CULTURE;**  
5 **AND FOR OTHER PURPOSES.**

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7 **WHEREAS**, the Fulton County Board of Commissioners has authority, pursuant to  
8 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 the Georgia Constitution or  
11 any local law applicable thereto; and

12 **WHEREAS**, the Fulton County Department of Arts and Culture serves as Fulton  
13 County's funding agency to support cultural programs and services to Fulton County  
14 based nonprofit arts organizations and Fulton County residents; and

15 **WHEREAS**, in addition to providing quality arts programming through support and  
16 development of artists, arts organizations, arts institutions and cultural programming for  
17 residents, the Fulton County Department of Arts and Culture also provides sponsorship  
18 funding and in-kind services to a variety of arts-related organizations and events which  
19 support and enhance arts education and culturally enriching activities in Fulton County  
20 each fiscal year; and

21 **WHEREAS**, sponsorships are not covered by the Fulton County's procurement  
22 rules and regulations and Fulton County does not otherwise have any rules or regulations  
23 to implement and authorize the myriad of sponsorship opportunities available to the  
24 Department of Arts and Culture, short of presenting each sponsorship opportunity before  
25 the Board of Commissioners for approval; and

26           **WHEREAS**, sponsorship opportunities are typically short term, sometimes  
27 unexpected, and must be acted upon quickly by the Department of Arts and Culture to  
28 meet strict payment and other timelines required for participation by Fulton County; and

29           **WHEREAS**, pursuant to Fulton County Code Section 2-152, the County Manager,  
30 as the Chief Executive Officer of Fulton County, has the duty “to conduct, supervise and  
31 administer all county affairs, subject only to the general law, to rules prescribed by the  
32 [Board of Commissioners], subject to the right of the [Board of Commissioners] to review,  
33 repeal or modify any action of the [County Manager] which is contrary to the general law  
34 or such rules....”; and

35           **WHEREAS**, pursuant to Fulton County Code Section 102-369, the County  
36 Manager has the authority to sign contracts for services, construction, professional and  
37 consultant services, grant agreements and intergovernmental agreements up to  
38 \$100,000.00 on behalf of the County, subject to budgetary limitations and procurement  
39 requirements being met; and

40           **WHEREAS**, pursuant to Fulton County Code Section 2-149, the County Manager  
41 may delegate purely administrative duties to subordinates in the county government; and

42           **WHEREAS**, while the Fulton County Board of Commissioners recognizes that  
43 each sponsorship opportunity is unique, the Board of Commissioners has determined that  
44 it is desirable to develop a template for Arts Sponsorship Agreements so as to set forth  
45 consistent expectations and obligations between the parties; and

46           **WHEREAS**, the Fulton County Board of Commissioners finds that it is in the best  
47 interest of the citizens of Fulton County to delegate to the County Manager, or his  
48 designee, the authority to execute Arts Sponsorship Agreements in order to streamline

49 the process by which the Department of Arts and Culture may provide sponsorship  
50 funding and in-kind services to various arts-related organizations and events, so long as  
51 funding for the sponsorship of these events is in the approved budget of the Department  
52 of Arts and Culture.

53 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of  
54 Commissioners hereby approves the Arts Sponsorship Template Agreement, attached  
55 hereto in substantial form as Exhibit A for use by the Department of Arts and Culture.

56 **BE IT FURTHER RESOLVED**, that the Board of Commissioners authorizes the  
57 County Manager or his designee to sign all Arts Sponsorship Agreements as well as any  
58 related documents, provided that funding for the sponsorship of these events is provided  
59 in the approved budget of the Department of Art and Culture.

60 **BE IT FURTHER RESOLVED**, that the County Attorney is authorized to approve  
61 the Arts Sponsorship Template Agreement as to form and to make necessary  
62 modifications thereto prior to execution in order to protect the interest of Fulton County.

63 **BE IT FURTHER RESOLVED**, that after execution by the County Manager of an  
64 Arts Sponsorship Agreement, said executed agreement will be provided in a report by the  
65 Purchasing Agent to the Board of Commissioners at a subsequent meeting of this body.

66 **BE IT FURTHER RESOLVED**, that if he so chooses, the County Manager shall  
67 make his designation via a simple memorandum identifying the designee, and stating that  
68 only the designee is authorized to sign Arts Sponsorship Agreements, with such  
69 memorandum being provided to the Clerk to the Commission and the Purchasing Agent.

70 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its  
71 adoption, and shall continue until further notice, and that all resolutions and parts of  
72 resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

73 **SO PASSED AND ADOPTED**, this \_\_\_\_ day of October, 2023.

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**FULTON COUNTY BOARD  
OF COMMISSIONERS**

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Robert L. Pitts, Chairman

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**ATTEST:**

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Tonya R. Grier, Clerk to the Commission

**APPROVED AS TO FORM:**

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Y. Soo Jo, County Attorney

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[https://fc0365.sharepoint.com/sites/CountyAttorney/CACContracts/Arts/Sponsorship Agreements/10.18.23 Resolution Authorizing CM or Designee to Sign Sponsorship Agreements.docx](https://fc0365.sharepoint.com/sites/CountyAttorney/CACContracts/Arts/Sponsorship%20Agreements/10.18.23%20Resolution%20Authorizing%20CM%20or%20Designee%20to%20Sign%20Sponsorship%20Agreements.docx)