

1 A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS TO
2 PROVIDE FINANCIAL ASSISTANCE AND LOGISTICAL SUPPORT FOR
3 REPRODUCTIVE HEALTHCARE THROUGH THE APPROPRIATION AND DONATION
4 OF \$300,000.00 TO ACCESS REPRODUCTIVE CARE-SOUTHEAST, INC. (ARC), A
5 NON-PROFIT; TO AUTHORIZE THE COUNTY TO ENTER INTO A CONTRACT FOR
6 SERVICES WITH ARC TO EFFECTUATE THE DONATION; TO AUTHORIZE THE
7 CHAIRMAN TO EXECUTE THE CONTRACT FOR SERVICES AND OTHER RELATED
8 DOCUMENTS; TO AUTHORIZE THE COUNTY ATTORNEY TO APPROVE THE
9 CONTRACT FOR SERVICES AS TO FORM AND MAKE CHANGES THERETO PRIOR
10 TO EXECUTION; AND FOR OTHER PURPOSES.

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12 **WHEREAS**, recent federal court cases and changes to state law have severely
13 limited access to reproductive healthcare and resulted in immediate and harmful
14 consequences for women, families, and physicians who provide reproductive care in
15 Georgia; and

16 **WHEREAS**, the lack of access to safe reproductive care in Georgia deepens
17 health inequity and inordinately impacts Black and socioeconomically vulnerable women;
18 and

19 **WHEREAS**, the Fulton County Board of Commissioners believes that it is
20 incumbent upon governmental entities to ensure equal access to healthcare; and

21 **WHEREAS**, Access Reproductive Care-Southeast, Inc. (“ARC”) is a Fulton County
22 based non-profit organization that provides funding and logistical support for reproductive
23 healthcare including transportation to appointments, childcare, and language access
24 services via interpreters; and

25 **WHEREAS**, pursuant to Resolution 22-R-3981 passed on August 1, 2023, the City
26 of Atlanta voted unanimously to provide funding in the amount of \$300,000.00 to the
27 National Network of Abortion Funds (NNAF) to be directed to ARC; and

28 **WHEREAS**, Fulton County has the power of expenditure granted under the
29 Georgia Constitution at Art. IX, Sec. 4, Para. 2 to “expend public funds to perform any

1 public service or public function as authorized by this Constitution or by law or to perform
2 any other service or function as authorized by this Constitution or by general law”; and

3 **WHEREAS**, Fulton County may make donations to non-profit entities for “purely
4 charitable purposes” so long as the activities funded are in the form of contracts for
5 services, and are not contrary to existing state law, as provided in the Georgia
6 Constitution at Art. IX, Sec. 2, Para. 8, and in the Georgia Code at § 36-1-19.1; and

7 **WHEREAS**, the Fulton County Board of Commissioners routinely utilizes the
8 authority given to it by O.C.G.A. § 36-1-19.1 to provide charitable contributions from its
9 General Fund for the betterment of communities throughout Fulton County; and

10 **WHEREAS**, the County’s Finance Department has identified the availability of
11 Three Hundred Thousand Dollars and Zero Cents (\$300,000.00) from the \$5 million
12 Healthcare Reserve approved in the FY2023 budget.

13 **NOW THEREFORE BE IT RESOLVED**, that the Fulton County Board of
14 Commissioners hereby approves the appropriation and donation of Three Hundred
15 Thousand Dollars and Zero Cents (\$300,000.00) to ARC to support the reproductive
16 healthcare and other services provided by ARC.

17 **BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners
18 hereby authorizes the County Manager and the County Attorney to negotiate and finalize
19 a contract for services with ARC for ARC’s use of the \$300,000.00 to provide funding and
20 logistical support for reproductive care.

21 **BE IT FURTHER RESOLVED**, that the Chairman or the County Manager are
22 hereby authorized to execute the resulting contract for services agreement and related
23 documents with ARC, after the County Attorney has approved these documents as to

1 form and has made changes thereto that are necessary to protect the interests of Fulton
2 County.

3 **BE IT FURTHER RESOLVED**, that the Finance Department is authorized and
4 directed to provide \$300,000.00 from the \$5 million Healthcare Reserve approved in the
5 FY2023 budget for use pursuant to the terms of the contract for services agreement
6 between Fulton County and ARC.

7 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon
8 adoption.

9 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County, this
10 20th day of September, 2023.

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12 **FULTON COUNTY BOARD OF**
13 **COMMISSIONERS**

14 **SPONSORED BY:**

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21 Commissioner Dana Barrett (District 3)

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24 **CO- SPONSORED BY:**

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29 Commissioner Natalie Hall (District 4)

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ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney