

1 **A RESOLUTION DIRECTING THE COUNTY MANAGER TO CREATE A**  
2 **RENTAL POLICY FOR NON-PROFITS ORGANIZATIONS TO UTILIZE SPACE**  
3 **AT FULTON COUNTY-OWNED OR LEASED FACILITIES; DIRECTING THE**  
4 **COUNTY MANAGER TO PRESENT THE POLICY TO THE BOARD OF**  
5 **COMMISSIONERS FOR APPROVAL; AND FOR OTHER PURPOSES.**  
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7

8 **WHEREAS**, according to the National Council of Non-profits, America's 1.3  
9 million charitable non-profit organizations feed, heal, shelter, educate, inspire, enlighten,  
10 and nurture people of every age, gender, race, and socioeconomic status, from coast to  
11 coast; and

12 **WHEREAS**, many local non-profit organizations play a vital role within Fulton  
13 County but do not have adequate office space, which limits their ability to provide  
14 services that are particularly beneficial to Fulton County citizens; and

15 **WHEREAS**, the Fulton County Board of Commissioners currently owns and  
16 operates several neighborhood facilities, including senior centers, art centers and  
17 libraries for the benefit of its citizens; and

18 **WHEREAS**, the physical structure and location of these facilities in the  
19 community make them ideal to non-profit organizations for use to provide services to  
20 Fulton County residents; and

21 **WHEREAS**, various non-profits have approached members of the Board of  
22 Commissioners to make inquiries regarding the use of available rental space in Fulton  
23 County owned and leased facilities to more directly serve the citizens of Fulton County;  
24 and

25 **WHEREAS**, for example, the newly renovated Central Library is an optimal  
26 location from which non-profit organizations can serve the citizens of Fulton County;  
27 and

1           **WHEREAS**, typically, Fulton County rents out space in its properties to other  
2 entities at fair market value; and

3           **WHEREAS**, there are certain instances in which a non-profit organization may  
4 provide in-kind services to the citizens of Fulton County that equate to or exceed the fair  
5 market value of the rental space; and

6           **WHEREAS**, for purposes of this rental policy, “in-kind services” refers to those  
7 benefits that a specific non-profit organization will provide to County citizens, while  
8 utilizing County rental space, in exchange for the cash rental value of the leased space,  
9 to include, but not limited to, services, goods, time and other assistance provided by the  
10 non-profit; and

11           **WHEREAS**, these in-kind services will serve as consideration for the charitable  
12 use of Fulton County rental space; and

13           **WHEREAS**, O.C.G.A. § 36-1-19.1 authorizes Fulton County to make charitable  
14 contributions to organizations located within Fulton County for purely charitable  
15 purposes under contracts for services; and

16           **WHEREAS**, the Board of Commissioners finds that it is in the best interest of its  
17 citizens to make rental spaces available in Fulton County-owned or leased properties,  
18 and in particular, the Central Library, to be used by non-profit organizations that provide  
19 necessary in-kind services to the citizens of Fulton County.

20           **NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners  
21 hereby directs the County Manger to develop a rental policy for non-profit organizations  
22 to utilize Fulton County-owned and leased properties to provide in-kind services to the  
23 citizens of Fulton County.

**BE IT FURTHER RESOLVED**, that the County Manager shall develop the policy with the assistance of the County Attorney and present the policy to the Board of Commissioners for approval.

**BE IT FURTHER RESOLVED**, the rental policy shall set forth details that the rental space cannot be used for the sole purpose of operating the non-profit organizations' businesses, but must be used to aid the organizations in providing services to citizens of Fulton County.

**BE IT FURTHER RESOLVED**, the rental policy shall be transparent and allow equal access to all non-profit organizations in Fulton County to provide in-kind services to Fulton County citizens through contracts for services.

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

**SO PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,  
Georgia this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**FULTON COUNTY BOARD  
OF COMMISSIONERS**

**SPONSORED BY:**

Natalie Hall, Vice Chair  
District 4

1 ATTEST:

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3  
4 \_\_\_\_\_  
5 Tonya R. Grier, Clerk to the Commission  
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7 APPROVED AS TO FORM:  
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11 \_\_\_\_\_  
12 Kaye Woodard Burwell  
13 County Attorney  
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16 P:\CALegislation\BOC\Resolutions\2021 Resolutions\Hall\7.14.21 Establishing Rental Policy for non-profits.revised clean.doc