



Fulton County Board of Commissioners
Agenda Item Summary

19-0396

BOC Meeting Date
5/15/19

Requesting Agency
 Commissioners **(Hall)**

Commission Districts Affected
 All Districts

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

APPROVAL

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.)

Request approval of a Resolution by the Board of Commissioners authorizing the Director of the Department of Finance to disburse the remaining balance of appropriated funds for fiscal year 2019 to the Fulton County/City of Atlanta Land Bank Authority, Inc. in one lump sum payment; to authorize the Director of the Department of Finance to disburse future annual appropriations to the Fulton County/City of Atlanta Land Bank Authority, Inc. in one lump sum amount; and for other purposes.
(Hall)

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.)*

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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: . |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|

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: . |

1 A RESOLUTION BY THE BOARD OF COMMISSIONERS AUTHORIZING THE
2 DIRECTOR OF THE DEPARTMENT OF FINANCE TO DISBURSE THE
3 REMAINING BALANCE OF APPROPRIATED FUNDS FOR FISCAL YEAR
4 2019 TO THE FULTON COUNTY/CITY OF ATLANTA LAND BANK
5 AUTHORITY, INC. IN ONE LUMP SUM PAYMENT; TO AUTHORIZE THE
6 DIRECTOR OF THE DEPARTMENT OF FINANCE TO DISBURSE FUTURE
7 ANNUAL APPROPRIATIONS TO THE FULTON COUNTY/CITY OF ATLANTA
8 LAND BANK AUTHORITY, INC. IN ONE LUMP SUM AMOUNT; AND FOR
9 OTHER PURPOSES.

10
11 WHEREAS, in 2012, the Georgia General Assembly enacted Senate Bill
12 284, which amended Chapter 4 of Title 48 of Official Code of Georgia to establish
13 a new article known as the “Georgia Land Bank Act” (codified at O.C.G.A. § 48-
14 4-100, et seq.), and

15 WHEREAS, pursuant to the Georgia Land Bank Act, the Board of
16 Directors of the Fulton County/City of Atlanta Land Bank Authority (hereinafter
17 “Authority”) voted on January 29, 2015 to adopt and operate pursuant to the new
18 provisions and powers of the Georgia Land Bank Act; and

19 WHEREAS, O.C.G.A. § 48-4-103(b)(1) provides that a land bank may be
20 created pursuant to an intergovernmental contract by a county and one or more
21 municipal corporations located wholly or partially within the county; and

22 WHEREAS, on November 16, 2016, the Board of Commissioners
23 approved Resolution # 16-1045, which adopted the Amended and Restated
24 Interlocal Cooperation Agreement between Fulton County and the City of Atlanta
25 to Continue the Existence and Operation of the Fulton County/City of Atlanta
26 Land Bank Authority pursuant to the Georgia Land Bank Act (hereinafter
27 “Interlocal Agreement”); and

1 **WHEREAS**, on February 28, 2017, the City of Atlanta and Fulton County
2 executed the Interlocal Agreement; and

3 **WHEREAS**, Section VIII(A)(1) of the Interlocal Agreement entitled
4 “Funding and Expenditures” sets forth that Fulton County’s contribution to the
5 Authority “is subject to the annual approval of the Fulton County Board of
6 Commissioners [and with] [s]uch approval shall include a schedule of payment
7 and shall be received in writing by the [Land Bank] Authority no later than the first
8 day of February of each year”; and

9 **WHEREAS**, Fulton County has made scheduled funding contributions to
10 the Land Bank Authority for Fiscal Year 2019 pursuant to Section VIII(A)(1) of the
11 Interlocal Agreement; and

12 **WHEREAS**, the Land Bank Authority has found it necessary to request
13 that Fulton County discharge the County’s funding obligations via one lump sum
14 payment each year, in lieu of incremental payments, to enable the Land Bank
15 Authority to align its expenses and other funding obligations in its budget so as to
16 ensure operational efficiency in the discharge of its functions; and

17 **WHEREAS**, the Board of Commissioners finds that it is in the best interest
18 of Fulton County for the Land Bank Authority to operate with fiscal efficiency to
19 carry out its functions; and

20 **WHEREAS**, the Board of Commissioners has determined that all future
21 annual appropriations made to the Land Bank Authority pursuant to Section
22 VIII(A)(1) of the Interlocal Agreement shall be disbursed in one lump sum amount
23 annually; and

1 **WHEREAS**, Article IX, § 2, Paragraph 1(a) of the Georgia Constitution
2 provides Fulton County with the authority to adopt clearly reasonable ordinances,
3 resolutions, or regulations relating to its property, affairs, and local government
4 for which no provision has been made by general law and which is not
5 inconsistent with this Constitution or any local law applicable thereto.

6 **NOW THEREFORE, IT IS HEREBY RESOLVED**, that the Board of
7 Commissioners of Fulton County hereby authorizes the Director of the
8 Department of Finance to disburse the remaining balance of appropriated funds
9 for Fiscal Year 2019 to the Fulton County/City of Atlanta Land Bank Authority,
10 Inc., in one lump sum payment upon receipt of an invoice from the Fulton
11 County/City of Atlanta Land Bank Authority, Inc.

12 **BE IT FURTHER RESOLVED**, that the Board of Commissioners
13 authorizes and directs the Director of the Department of Finance to disburse
14 future annual appropriations for the Fulton County/City of Atlanta Land Bank
15 Authority, Inc., in one lump-sum payment by the end of February of each year, or
16 as soon as possible thereafter.

17 **BE IT FURTHER RESOLVED**, that the County Attorney is directed to
18 work with her counterpart at the City of Atlanta to formally amend the Interlocal
19 Agreement to reflect the payment of the County's funding obligation via one
20 lump sum annual payment to the Fulton County/City of Atlanta Land Bank
21 Authority, Inc.

1 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective
2 upon its adoption, and that all resolutions and parts of resolutions in conflict with
3 this Resolution are hereby repealed to the extent of the conflict.

4

5 **SO PASSED AND ADOPTED**, this _____ day of May, 2019.

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7 **FULTON COUNTY BOARD OF**
8 **COMMISSIONERS**

9

10 **SPONSORED BY:**

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Natalie Hall, Commissioner
District 4

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ATTEST:

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Jesse A. Harris
Clerk to the Commission

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31 **APPROVED AS TO FORM:**

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Patrise Perkins-Hooker
County Attorney

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P:\CALegislation\BOC\Resolutions\2019 Resolutions\Hall\4.17.19 A Resolution To Disburse the Remaining Appropriated Balance to Fulton County City of Atlanta Land Bank Authority with pph redlined cha (PENDING.doc)