City of Fairburn
56 Malone Street
Fairburn, GA 30213
September 23, 2019 @ 6:00 PM

WORKSHOP AGENDA

I. Meeting Called to Order: The Honorable Elizabeth Carr-Hurst, Mayor

II. Roll Call

III. Presentations: Shana T. Moss, Interim City Clerk

IV. Public Hearing

V. Discussions: None

VI. Review of Agenda Items for Council Session

VII. Adjournment Councilmembers

Councilmembers

Councilmembers
City Hall
56 Malone Street
Fairburn, GA 30213
September 23rd, 2019 @ 7:00 PM

Regular Agenda

The Honorable Mayor Elizabeth Carr-Hurst, Presiding

The Honorable Mayor Pro-Tem Linda J. Davis
The Honorable Pat Palen
The Honorable Ulysses J. Smallwood

Ms. Valerie Ross

I. Meeting Called to Order:

II. Roll Call:

III. Invocation:

IV. Pledge of Allegiance:

V. Presentation:

VI. Public Comments: Thirty (30) minutes shall be available for public comments. Each speaker shall be limited to three (3) minutes; however, a speaker may transfer his or her three (3) minutes to another speaker, but no speaker shall be permitted to speak for more than (6) minutes; further in the event, if more than ten (10) speakers desire to speak, each speaker shall be limited to two (2) minutes and no speaker may speak more than four (4) minutes. Issues raised at this time are generally referred to the City Administrator for review. Responses will be provided at a later date.

VII. Adoption of the Council Agenda: Councilmembers

VIII. Adoption of Consent Agenda Items: Councilmembers
IX. Adoption of City Council Minutes: Councilmembers
(September 9th, 2019 Regular Meeting and Executive Session Minutes)

X. Public Hearing: None

XI. Agenda Items:

1. Office of the Mayor  
   Mayor Carr-Hurst
   Swearing-In of Ms. Arika Birdsong-Miller as City Clerk for the City of Fairburn.

2. Finance Director  
   Ms. Angela Jackson
   For Mayor and Council to review and approve the City’s millage rate for 2019.

3. Finance Director  
   Ms. Angela Jackson
   For Mayor and Council to review and approve the proposed FY2019-2020 budget.

XII. Council Comments Councilmembers

XIII. Executive Session Mayor Carr-Hurst

XIV. Adjournment Councilmembers

*When an Executive Session is required, one will be called for the following issues:  
(1) Personnel (2) Real Estate or (3) Litigation.
City of Fairburn
Mayor and Council Meeting Minutes
September 9, 2019
7:00 pm @ City Hall

I. The meeting was called to order at 7:00 pm by the Honorable Mayor Carr-Hurst.

II. Roll Call was taken by Interim City Clerk, Shana T. Moss with the following members present:

Mayor Elizabeth Carr-Hurst

The Honorable Mayor Pro-Tem Linda J. Davis  The Honorable Alex Heath
The Honorable Pat Pallend  The Honorable Hattie Portis-Jones
The Honorable Ulysses J. Smallwood  The Honorable James Whitmore

The attendance of council constituted a quorum and the meeting proceeded.

III. The invocation was rendered by Mr. Dalton Colburn. Mr. Colburn is a Senior at Landmark Christian Academy in Fairburn.

IV. The Pledge of Allegiance was recited in unison.

V. Presentation:
Ms. Mary Darby of the Collaborative Firm presented the Zoning Rewrite Update. Ms. Darby gave a comprehensive overview of the (1) Enhanced layout of Non-Residential Districts (2) Categorization of Non-Residential Districts Permitted Uses (3) Zoning Map Update (4) Legal Review Update (5) Other Zoning Ordinance Rewrite Highlights and (6) Remaining Project Schedule. She also stated that railroad districts have not been changed. This rewrite has been through Phase 1 of the legal review which transpired from July 29th-August 26th, 2019. The remaining project schedule is:

<table>
<thead>
<tr>
<th>September 12th-20th, 2019</th>
<th>Attorney review Phase II</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1st, 2019</td>
<td>Fairburn Planning Commission Meeting on Zoning Ordinance</td>
</tr>
<tr>
<td>October 14th, 2019</td>
<td>Fairburn City Council, 1st reading of Zoning Ordinance</td>
</tr>
<tr>
<td>October 28th, 2019</td>
<td>Fairburn adopts Zoning Ordinance</td>
</tr>
</tbody>
</table>

Mayor Pro-Tem Davis said she was very impressed with the rewrite. She asked City Planner Tarika Pecks how much time will this rewrite save her in doing her work? Ms. Pecks stated it will be very beneficial, it will allow her to be more efficient, effective and concise when she is researching zoning issues/ordinances.

VI. Public Comments:
1. Mr. Earl Jones began his comments by asking if anyone knew what an LVAD was? He stated heart disease is the number one killer in women and LVAD is Left Ventricle Assisted Device. This device runs by batteries and electricity. He stated this device is keeping his daughter alive, she is sick and suffers from heart disease. His daughter’s electricity has been disconnected for nonpayment. She is a single parent and for nine months she could not work due to her illness. He stated her electric bill skyrocketed ($4,000) within three months and with her being out of work
she could not pay the bill. They have sought assistance from agencies to defray the pay. He will be moving in with his daughter to help alleviate some of the cost. He asked the City of Fairburn to have some leniency and reconnect his daughter’s electricity.

2. Ms. TaFoya C. Jones, stated she wears the LVAD and her father was the person who spoke prior to her. Ms. Jones said she has Stage 4 advanced heart disease and she has been extremely sick and can’t work. She must wear the LVAD constantly without this device she will die. She realizes her bill is high; however, she has made payments and she would like to work out a payment agreement with Fairburn Utilities.

3. Ms. Lula Howard gave accolades to Mr. Harvey Stokes and his team on the cleanup of Splitwood Lane. She further stated trash is being dumped on Vickers Lane.

VII. Adoption of the Council Agenda: The motion to approve was made by Councilman Whitmore with the second provided by Mayor Pro-Tem Davis. Vote: 6-0: Motion Carried

VIII. Adoption of Consent Agenda Items: There were no consent agenda items.

IX. Adoption of City Council Minutes from August 26th, 2019 the regular meeting and executive session. The motion to approve the executive session minutes was made by Councilman Heath and the second was provided by Councilman Smallwood. Vote: 6-0: Motion Carried. The motion to approve the regular session minutes was made by Mayor Pro-Tem Davis with the second provided by Councilman Whitmore. Vote: 6-0: Motion Carried.

X. Public Hearing: There was no public hearing.

XI. Agenda Items:

1. Parks and Recreation
   Ms. Chapin Payne
   To provide Mayor and Council with an update on the Fairburn Festival. Ms. Payne stated the Fairburn Festival will be held on Saturday October 5th, 2019 from 4:00 pm-9:00 pm. The theme is a Block Party Edition. She hopes this event will bring everyone together. There will be rides for the children, bouncy houses, some of the local high school football players and cheerleaders will be present. The City is sponsoring a Spirit Week leading up to the Festival for everyone to get involved in. Fairburn resident and NFL Player, Mr. Eric Berry will hopefully be in town and will attend the festival. Mayor Carr-Hurst stated there will be a VIP section for elected officials and guests on the upper level of Oz Pizza. Additional activities are a chalk alley, face painting for kids, and characters from the Renaissance Festival.

2. Parks and Recreation
   Ms. Chapin Payne
   For Mayor and Council to review and approve the facility use agreement for South Fulton Little League Fall 2019 Season. South Fulton Little League uses Duncan Park for the baseball field. This is an annual event with South League. The motion to approve was made by Councilman Pallend and the second was provided by Councilman Heath: Vote: 6-0 Motion Carried

3. Parks and Recreation
   For Mayor and Council to review and approve the facility usage agreement for Kickball for Girls Fall 2019 season. Ms. Payne stated girl’s kickball is a fast-growing sport in Fairburn and the turnout has been great with this sport. The motion to approve was made by Mayor Pro-Tem Davis and the second was provided by Councilman Whitmore. Vote: 6-0 Motion Carried.
XII. Council Comments:

Councilwoman Portis-Jones had no comment.
Councilman Pallena had no comment.
Councilman Smallwood had no comment.
Mayor Pro Tem Davis had no comment.
Councilman Heath had no comment.
Councilman Whitmore stated it is always good to see everyone.
Mayor Carr-Hurst had no comment.

XIII. Executive Session: At 7:46 pm a motion to enter into executive session for litigation was made by
Councilman Whitmore and the second was provided by Mayor Pro-Tem Davis.
Vote: 6-0: Motion Carried.

XIV. Adjournment: At 7:56 pm with no further business of the City of Fairburn the motion to adjourn was
made by Mayor Pro-Tem Davis and the second was provided by Councilman Heath.
CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: Appointment of Mrs. Arika Birdsong-Miller as the City Clerk for the City of Fairburn.

() AGREEMENT   ( ) POLICY / DISCUSSION   ( ) CONTRACT
( ) ORDINANCE  ( ) RESOLUTION       (X) OTHER


DEPARTMENT: City Clerk

BUDGET IMPACT: Salary plus fringes as approved by Council

PUBLIC HEARING?  ( ) Yes  (X) No

PURPOSE: To officially appoint the City Clerk for the City of Fairburn, Arika Birdsong-Miller.

HISTORY: The City Clerk position is appointed by Council; the swearing in is traditional.

RECOMMENDED ACTION: Official appointment of City Clerk

Elizabeth Carr-Hurst, Mayor
Arika Birdsong-Miller

Objective: Results-oriented professional desiring a City Clerk position with the City of Fairburn that can benefit from my thorough understanding of maintaining official records and comprehension of clerical activities.

Skills Profile
Results-Driven and Ethical
Strong Organization
Effective Communication
Conflict Management
Anaytical
Multitasking

Education
Bachelor Degree: Business Administration
Strayer University, Chamblee, GA
09/2017
Certification: Georgia Clerks Education
Regional Training, 69 Hours
Carl Vincent Institute of Government
University of Georgia

Professional Experience

Deputy City Clerk
CITY OF NORCROSS, Norcross, GA
November 2018- Current
- Supports the maintenance of city records and public documents; performs certification and recording for the city as required on legal documents and other records requiring such certification; seals and attests by signature to ordinances, resolutions, contracts, easements, deeds, bonds or other documents requiring city certification.
- Provides administrative support to the City Manager, City Clerk, and City Council

City Clerk/ Human Resources Specialist
CITY OF LITHONIA, Lithonia, GA
September 2017 – November 2018
- Attends regular and special Council meetings; performs an accurate recording of the proceedings; and prepares minutes in proper legislative terminology, recording, indexing and filing for the public records; distributes information as requested; prepares Council meeting packages; provides administrative support to the Mayor and Council.
- Advertisements, in the legal organ and other media, special meetings of City Council, proposed adoption of ordinances and amendments to ordinances, annual budget proposals, annual millage rate proposals and other items as required.
- Oversees Open Records Requests for public records; provides information to citizens, civic groups, the media and other agencies as requested;
- Oversees the City Cemetery Records; oversees the Opening & Closing Grave Permit
- Payroll Specialist utilizing Ovation Time Card System and Heartland Payroll System
- Issue business licenses, building permits, and collect plans from General Contractors.

Finance Customer Service Representative (Summer Camp Director)
CITY OF VILLA RICA, Villa Rica, GA
June 2016 - September 2017
- Maintained financial accounts by processing customer adjustments.
- Maintained customer records by updating account information.
- Supervised and scheduled staff daily
- Planned and managed day to day operation of the summer camp program

Assistant Property Manager/Customer Service Representative
HERITAGE PROPERTY MANAGEMENT, Atlanta, GA
January 2014 – January 2015
- Professionally handled incoming requests from clients and ensured that issues are resolved both promptly and thoroughly.
- Thoroughly and efficiently gathered homeowner, tenant and vendor information.
- Provided quality administrative service and support to three community managers and homeowners.

Gate Agent
DELTA AIRLINES, Atlanta, GA
February 2012 – June 2014
- Provided excellent customer service.
- Managed loads to ensure weight and balance is correct.
STATE OF GEORGIA

County of Fulton

OATH of OFFICE for CITY CLERK

I, Arika Birdsong-Miller, do solemnly swear or affirm that I will faithfully and truly perform the duties of City Clerk of this City, that I will support and defend the United States Constitution, the Constitution of the State of Georgia, and the Charter of the City of Fairburn, to the best of my skills and ability and as to me shall seem to the best of interest and welfare of the City without fear, favor, or affection.

I do further swear or affirm that I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof, that I am not the holder of any office or trust under the government of the United States, any other state, or any foreign state which, by the laws of the State of Georgia, I am prohibited from holding; and that I am otherwise qualified to be a public officer according to the Constitution and Laws of the State of Georgia.

SO HELP ME GOD

This 23rd day of September 2019.

______________________________  ________________________________
Arika Birdsong-Miller, City Clerk  Elizabeth Carr-Hurst, Mayor
SUBJECT: 2019 Millage Rate

DEPARTMENT: Finance

BUDGET IMPACT: To set the 2019 Millage Rate for FY 2020 (October 1, 2019 – September 30, 2020).

PUBLIC HEARING? ( ) Yes (X) No

PURPOSE: To set the 2019 Millage Rate at 8.100 for the City of Fairburn.

The City of Fairburn’s Finance Department will announce the 2019 millage rate for Fairburn City Council’s adoption at the City Council Meeting on September 23, 2019 at 7:00 pm. Please see supporting documentation for the estimated current year’s tax digest and levy for the past five (5) years.

HISTORY: N/A

FACTS AND ISSUES: N/A

RECOMMENDED ACTION: The Finance Staff recommends that the Mayor and City Council approve the 2019 Millage Rate at 8.100, the same as last year.
| Year | Real & Personal | Mobile Homes | Heavy Duty Equipment | Timber 100% | Mobile Home | Motor Vehicle | Net Tax Digest | Gross Millage | Less Roll Back | Net Millage | Net Tax Levy | Net Levy % | Net Levy % Increase/Decrease |
|------|-----------------|--------------|----------------------|-------------|-------------|---------------|----------------|--------------|---------------|-------------|-------------|-------------|-----------|-----------------------------|
| 2014 | 184,248,720     | 229,595,582  | 257,926,872          | 17,900      | 229,595,582 | 257,926,872   | 35,417,128     | 712,171,922  | 42,388        | 197,966     | 197,966     | 4.85%      | 2.7%                  |
| 2015 | 225,499,923     | 297,563,822  | 354,063,745          | 17,760      | 225,499,923 | 354,063,745   | 28,473,822     | 742,890,834  | 42,388        | 197,966     | 197,966     | 4.85%      | 2.7%                  |
| 2016 | 271,600,289     | 331,259,522  | 415,474,173          | 17,670      | 271,600,289 | 415,474,173   | 39,874,091     | 754,851,032  | 42,388        | 197,966     | 197,966     | 4.85%      | 2.7%                  |
| 2017 | 327,212,780     | 369,741,743  | 453,656,396          | 17,666      | 327,212,780 | 453,656,396   | 38,441,616     | 809,909,562  | 42,388        | 197,966     | 197,966     | 4.85%      | 2.7%                  |
| 2018 | 382,714,291     | 426,818,891  | 510,404,711          | 17,466      | 382,714,291 | 510,404,711   | 39,300,420     | 1,160,928,670 | 42,388        | 197,966     | 197,966     | 4.85%      | 2.7%                  |
| 2019 | 430,212,280     | 483,729,710  | 569,214,180          | 17,366      | 430,212,280 | 569,214,180   | 39,000,920     | 1,660,329,870 | 42,388        | 197,966     | 197,966     | 4.85%      | 2.7%                  |

The Mayor and Council of the City of Fairburn will announce and adopt the millage rate which will be set at the regular Council Meeting on Monday, September 23, 2019 at 7:00 p.m. at City Hall, 56 Malone Street, S.W., Fairburn, Georgia and pursuant to the requirements of O.C.G.A. Section 48-5-22 does hereby publish the following presentation of the estimated current year's tax digest and levy for the past five (5) years. All citizens of Fairburn are invited to attend.

( ) AGREEMENT  ( ) POLICY / DISCUSSION  ( ) CONTRACT
( ) ORDINANCE  ( ) RESOLUTION  (X) OTHER


DEPARTMENT: Finance

BUDGET IMPACT: To establish a Budget for Fiscal Year 2020 (October 1, 2019 – September 30, 2020).

PUBLIC HEARING? ( ) Yes  (X) No

PURPOSE: To adopt a Fiscal Year 2020 budget along with budget amendments for the City of Fairburn.

The Proposed Budget for Fiscal Year 2020 is $54,182,538 and includes budget amendments totaling $297,510 for the General Fund, $29,712 for the Confiscated Asset Fund and $174,510 for the Technology Fee Fund. The FY2020 proposed General Fund budget represents a 4% increase over the FY2019 budget. The overall budget represents a 36% increase over the FY2019 budget due to additional funding in the Grants Fund, Capital Projects Fund, TSPLOST Fund, Confiscated Asset Fund and the Technology Fee Fund. The attached documents includes a summary of the FY2020 budget and the law establishing the Technology Fee Fund.

HISTORY: N/A

FACTS AND ISSUES: N/A

RECOMMENDED ACTION: The Finance Staff recommends that the Mayor and City Council approve the FY2020 budget and related budget amendments.

[Signature]
Elizabeth Carr-Hurst, Mayor
DATE: September 23, 2019

TO: Fairburn City Council

FROM: Angela Jackson, Director of Finance

SUBJECT: Amendments to the 2020 Proposed Budget

Listed below are several amendments to the FY 2020 Proposed Annual Budget which are being presented for your consideration and approval.

<table>
<thead>
<tr>
<th>Department / Item:</th>
<th>Revenue Amount</th>
<th>Expenditure Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Court Fines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase revenue for fines</td>
<td>$ (23,000)</td>
<td></td>
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<tr>
<td>Interest Income</td>
<td></td>
<td></td>
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<tr>
<td>Increase interest income</td>
<td>$ (100,000)</td>
<td></td>
</tr>
<tr>
<td>Appropriation from Fund Balance</td>
<td>$ (174,510)</td>
<td></td>
</tr>
<tr>
<td>Transfer out to Technology Fee Fund</td>
<td></td>
<td>$ 174,510</td>
</tr>
<tr>
<td>Mayor &amp; Council</td>
<td></td>
<td></td>
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<tr>
<td>Increase Education &amp; Training expenses for Council</td>
<td></td>
<td>$ 15,000</td>
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<tr>
<td>Members on 2 boards or committees in leadership roles.</td>
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<tr>
<td>Fire Department</td>
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<tr>
<td>Increase other equipment expenses for 2 life packs.</td>
<td></td>
<td>$ 60,000</td>
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<tr>
<td>Police Department</td>
<td></td>
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<tr>
<td>Increase personal services</td>
<td></td>
<td>$ 48,000</td>
</tr>
<tr>
<td>Total Amendments to FY 2009 General Fund Budget</td>
<td>$ (297,510)</td>
<td>$ 297,510</td>
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<tr>
<td>FY2020 Proposed General Fund Budget</td>
<td>$ (16,995,617)</td>
<td>$ 16,995,617</td>
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<tr>
<td>Adopted General Fund Budget</td>
<td>$ (17,293,127)</td>
<td>$ 17,293,127</td>
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<tr>
<td>Department / Item:</td>
<td>Revenue Amount</td>
<td>Expenditure Amount</td>
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<tr>
<td>Confiscated Assets Fund</td>
<td></td>
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<tr>
<td>Appropriation from Confiscated Assets Fund Balance</td>
<td>$ (29,712)</td>
<td></td>
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<tr>
<td>Increase Building Renovations</td>
<td>$ 29,712</td>
<td></td>
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<tr>
<td>Total Amendments to FY 2020 Confiscated Assets Fund</td>
<td>$ (29,712)</td>
<td>$ 29,712</td>
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<tr>
<td>Proposed Confiscated Assets Fund</td>
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<td>$ 0</td>
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<tr>
<td>Adopted Confiscated Assets Fund</td>
<td>$ (29,712)</td>
<td>$ 29,712</td>
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<tr>
<td>Technology Fee Fund</td>
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<tr>
<td>Appropriation from Fund Balance</td>
<td>$ (174,510)</td>
<td></td>
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<tr>
<td>Court Services &amp; Police Department</td>
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<tr>
<td>Increase computer/software expenses</td>
<td>$ 174,510</td>
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<tr>
<td>Total Amendments to FY 2020 Technology Fee Fund</td>
<td>$ (174,510)</td>
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<td>Proposed Technology Fee Fund</td>
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| 220  | 0000 |         | Confiscated                    | 153                  | 29,712               | 29,559     |
| 250  | 0000 |         | Grants                         | 315,000              | 5,091,811            | 4,776,811  |
| 260  | 0000 |         | Tree Bank                      | -                    | 275,368              | 275,368    |
| 270  | 0000 |         | Technology Fee                 | -                    | 174,510              | 174,510    |
| 275  | 0000 |         | Hotel Motel Tax                | 265,000              | 265,000              | -          |
| 350  | 0000 |         | Capital Fund                   | -                    | 3,573,828            | 3,573,828  |
| 351  | 0000 |         | Go Bond                        | 855,062              | 987,632              | 132,570    |
| 360  | 0000 |         | TSPLOST                        | 1,365,039            | 6,081,391            | 4,716,352  |
| 505  | 0000 |         | Water and Sewer                | 7,855,800            | 8,049,904            | 194,104    |
| 506  | 0000 |         | Storm Water                    | 932,800              | 932,800              | -          |
| 507  | 0000 |         | Water and Sewer Bond           | 445,682              | 329,488              | (116,194)  |
| 510  | 0000 |         | Electric fund                  | 8,987,183            | 8,907,323            | (79,860)   |
| 540  | 0000 |         | Sanitation                     | 804,539              | 817,656              | 13,117     |
| 580  | 0000 |         | Educational Complex            | 1,334,856            | 1,372,988            | 38,132     |
|      |      |         |                                | **23,161,114**       | **36,889,411**       | **13,728,297**|

**39,760,878**  **54,182,538**  **14,421,660**

As of 9/19/19
Senate Bill 345
By: Senator Stone of the 23rd

A BILL TO BE ENTITLED
AN ACT

To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to provide for a technology fee to be collected under certain circumstances; to provide for a short title; to provide for a purpose for such fees; to provide for imposition of additional civil filing fees and criminal penalties; to provide for adoption of county resolutions; to provide for a technology fund; to provide for technology plans; to provide for expenditure of funds collected; to preempt local Acts providing for technology fees; to provide for an automatic repealer; to amend Code Section 36-15-7 of the Official Code of Georgia Annotated, relating to the use of law library funds, so as to change provisions relating to the use of law library funds for a court's technology needs; to provide for an effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.
Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising Code Section 15-6-95, relating to priorities of distribution of fines, forfeitures, surcharges, additional fees, and cost in cases of partial payments into the court, as follows:

"15-6-95.
Notwithstanding any law to the contrary, a clerk of any superior court of this state who receives partial payments, as ordered by the court, of criminal fines, forfeitures, or costs shall distribute said sums in the order of priority set forth below:

(1) The amount provided for in Chapter 17 of Title 47 for the Peace Officers' Annuity and Benefit Fund;
(2) The amount provided for in Chapter 14 of Title 47 for the Superior Court Clerks' Retirement Fund of Georgia;
(3) The amount provided for in Chapter 16 of Title 47 for the Sheriffs' Retirement Fund of Georgia;
(4) The amounts provided under subparagraphs (a)(1)(A) and (a)(2)(A) of Code Section 15-21-73;

(5) The amounts provided for under subparagraphs (a)(1)(B) and (a)(2)(B) of Code Section 15-21-73;

(6) The amounts provided for in Code Section 15-21-93 for jail construction and staffing;

(7) The amount provided for in Code Section 15-21-131 for funding local victim assistance programs;

(8) The amount provided for in Code Section 36-15-9 for county law libraries;

(9) The balance of the base fine owed to the county;

(10) The amount provided for in cases of driving under the influence for purposes of the Georgia Crime Victims Emergency Fund under Code Section 15-21-112;

(11) The application fee provided for in subsection (c) or (e) of Code Section 15-21A-6;

(12) The amount provided for in cases of driving under the influence for purposes of the Brain and Spinal Injury Trust Fund under Code Section 15-21-149;

(13) The amount provided for in Code Section 15-21-100 for the Drug Abuse Treatment and Education Fund; and

(14) The amounts provided for in subsection (d) of Code Section 42-8-34; and

(15) The amounts provided for in Code Section 15-21-204 for technology funding."

SECTION 2.

Said title is further amended by adding a new article to Chapter 21, relating to payment and disposition of fines and forfeitures, as follows:

'ARTICLE 11

15-21-200.

This article shall be known and may be cited as the 'Court Technology Funding Act.'

15-21-201.

(a) As used in this article, the term 'governing authority' means the body that governs the county, consolidated government, or municipality, as applicable.

(b) This article is enacted in order to authorize the collection of additional civil filing fees and additional penalty assessments in criminal and traffic cases and cases involving violations of ordinances of political subdivisions so as to provide that the proceeds derived therefrom may be used for court-related technology needs, in all levels of courts in this state, for the use of the courts by the public, judges, prosecuting attorneys, public...
defenders, attorneys providing indigent defense services, probation officers, law enforcement officers, and clerks and other court officers.

(a) The chief judge of any court may initiate the development of a court technology plan. Such technology plan may be developed in conjunction with other courts or jurisdictions throughout this state and shall outline how the fees collected pursuant to this article are to be utilized. The technology plan may cover any or all of the purposes for the court technology fund as listed in subsection (b) of Code Section 15-21-205 but shall also be in accordance with Judicial Council of Georgia’s technology standards, when applicable. If a technology plan involves more than one court, a single court clerk shall be selected to administer the court technology fund.
(b) In order to collect a court technology fee as set forth in Code Sections 15-21-203 and 15-21-204, the governing authority for the participating court must adopt a resolution placing this article in effect, requiring the imposition and collection of the additional fees and penalties set forth in Code Sections 15-21-203 and 15-21-204, and agreeing to expend the funds collected for the purposes provided for in this article. If such additional fees and penalties will be imposed in any court operated by a municipality, the municipality and county in which such municipality lies, shall memorialize such agreement in an intergovernmental contract. Approval shall be deemed to have been granted if a governing authority does not act within 30 days after a request for approval. The additional fees and penalties set forth in Code Sections 15-21-203 and 15-21-204 shall not be imposed or collected until this subsection has been complied with.
(c) The chief judge may delegate preparation and oversight of the technology plan to a court official or court technology board, the membership of such board to be determined by the chief judge. The members shall serve at the pleasure of the chief judge. After the technology plan has received governing authority approval, the official or technology board shall oversee the court technology plan and use of the technology fund, including the approval, supervision, and oversight of the expenditure of all sums in the technology fund.
(d) Court technology plans and amendments to such plans that are approved by governing authorities shall be reported to the Judicial Council of Georgia.

15-21-203.
(a) In addition to all other legal costs, there shall be charged to the filing party and collected by the clerk an additional filing fee not to exceed $5.00 in each civil action or case filed in the superior, state, recorder’s, mayor’s, and magistrate courts if this article has been placed in effect as provided in Code Section 15-21-202. Without limiting the

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generality of the foregoing, such fee shall apply to all adoptions, certiorari, trade name
registrations, applications for change of name, and all other proceedings of a civil nature.

Any matter which is docketed upon the official docket of the enumerated courts and to
which a number is assigned shall be subject to such fee, whether such matter is contested
or not. Such fee shall not be imposed when a filing fee is waived by law or is paid by a
municipality, county, political subdivisions, or the state.

(c)(1) As used in this subsection, the term 'civil action' means:

(A) With regard to decedents' estates, the following proceedings: petition for letters of
administration; petition to probate a will in solemn form; petition for an order declaring
no administration necessary; petition to probate a will in solemn form and for letters of
administration with will annexed; and petition for year's support;

(B) With regard to a minor guardianship matter as set forth in paragraph (1) of
subsection (f) of Code Section 15-9-60, the proceeding by which the jurisdiction of the
probate court is first invoked;

(C) With regard to an adult guardianship matter as set forth in paragraph (1) of
subsection (g) of Code Section 15-9-60, the proceeding by which the jurisdiction of the
probate court is first invoked; and

(D) An application for writ of habeas corpus.

(2) In addition to all other legal costs, there shall be charged to the filing party and
collected by the clerk an additional fee not to exceed $5.00 in each civil action filed in
the probate court if this article has been placed in effect as provided in Code Section
15-21-202. For the purposes of the imposition of the civil filing fee required by this
subsection, the probate court shall collect the civil filing fee on each proceeding listed in
subparagraph (A) of paragraph (1) of this subsection involving a decedent but once only
in a guardianship matter involving the same ward or an application for writ of habeas
corpus involving the same applicant.

(c) Each clerk of court or any other officer or agent of any court receiving any funds
subject to this Code section shall collect the fee provided for in this Code section, and by
the last day of the month after the month of collection pay the fees into a specially
designated technology fund to be administered by the clerk of court. The fund shall be
separate from all other funds held by the clerk, and the chief judge shall determine how
expenditures shall be approved as set forth in this article.

(d) Any governing authority that approves a technology plan may request an audit of such
fund.
127 15-21-204.
128 (a) In every case in which any superior court, state court, probate court, magistrate court,
129 municipal court, or other court in any county or municipality in which this article has been
130 placed in effect as provided in Code Section 15-21-202 shall impose a fine, which shall be
131 construed to include costs, for any offense against a criminal or traffic law of this state or
132 any ordinance of a political subdivision thereof, there shall be imposed as an additional
133 usually not to exceed $5.00.
134 (b) The sum provided by subsection (a) of this Code section shall be in addition to any
135 other amount required by law to paid from or added to a criminal fine or ordinance
136 violation.
137 (c) Each clerk of court or any other officer or agent of any court receiving any funds
138 subject to this Code section shall collect the fee provided for in this Code section, and by
139 the last day of the month after the month of collection pay the fees into a specially
140 designated technology fund to be administered by the clerk of court. The fund shall be
141 separate from all other funds held by the clerk, and the chief judge shall determine how
142 expenditures are approved as set forth in this article.
143 (d) Any governing authority that approves a technology plan may request an audit of such
144 fund.

145 15-21-205.
146 (a) The sums accumulated pursuant to this article shall be used exclusively to provide for
147 the technology needs, in all levels of courts in this state, for the use of the courts by the
148 public, judges, prosecuting attorneys, public defenders, attorneys providing indigent
149 defense services, probation officers, law enforcement officers, and clerks and other court
150 officers of the court.
151 (b) The use of the sums accumulated pursuant to this article may be expended for the
152 following:
153 (1) Securing the services of employees or independent contractors to manage, maintain,
154 install, and repair computer and networking hardware and software; to provide
155 purchasing information and recommendations; to provide technical assistance; to
156 coordinate and manage network, Internet, and other such data connections; and for any
157 and all reasonable and necessary related tasks;
158 (2) Computer hardware and software purchases and leases, including maintenance and
159 installation of computer hardware and software;
160 (3) Purchase, lease, maintenance, and installation of electronic courthouse systems,
161 including, but not limited to, imaging, scanning, facsimile, communications, projection,
162 evidence display systems, courthouse directional displays, audio or video-enhancement
technology for hearing impaired persons, security and surveillance systems, and printing
equipment and software;
(4) Purchase, lease, maintenance, and installation of networking, Internet, and other
connectivity services to permit related offices to link and share information;
(5) Training directly related to the use of operation of court information technology
applications or court information hardware; and
(6) Contracts for any and all of the services provided for in this subsection with any
individual or entity supplying such services, expertise, or equipment.
(c) This article shall not preclude the appropriation or expenditure of other funds by a
governing authority or by the General Assembly for the purpose of funding court-related
technology needs.
(d) This article shall not preclude donations, gifts, grants, or bequests, in-kind or monetary,
from being accepted into the technology fund.

15-21-206.
Beginning August 1, 2015, each court shall make an annual report to the Judicial Council
of Georgia detailing amounts received pursuant to this article, including the court source
and the expenditure of such fees.

15-21-207.
Except as provided in this Code section, on and after July 1, 2014, no local law providing
for court technology fees shall be enacted, and all local Acts creating technology fees are
hereby preempted. Funds held by a court pursuant to a local Act enacted prior to July 1,
2014, may continue to be used in the same manner and for the same purposes provided in
any such previously enacted local Act, except that, in any court in which a technology plan
is adopted pursuant to this article, the previously collected funds may be held and used in
accordance with such technology plan.

15-21-208.
This article shall be repealed in its entirety on July 1, 2020.

SECTION 3.
Code Section 36-15-7 of the Official Code of Georgia Annotated, relating to the use of law
library funds, is amended by revising subsection (a) as follows:
"(a) The money paid into the hands of the treasurer of the board of trustees of the county
law library shall be used for the purchase of law books, reports, texts, periodicals, supplies,
desks, and equipment and for the maintenance, upkeep, and operation of the law library,
including the services of a librarian and, within the discretion of the board of trustees, payment for purchases made by a county's superior court, state court, probate court, magistrate court, or juvenile court, and for the purchase or leasing of computer related legal research equipment and programs and for technology expenses in accordance with the uses permitted by subsection (b) of Code Section 15-21-205, and, at the discretion of the county governing authority, for the establishment and maintenance of the codification of county ordinances. However, the amount transferred to the county governing authority for codification pursuant to this subsection shall not exceed the cost of establishing or maintaining the codification."

SECTION 4.

This Act shall become effective on July 1, 2014, and shall apply to all civil cases filed on or after that date and all criminal penalties or ordinance violation penalties imposed on offenses that occur on or after that date, if the provisions of this Act have been adopted by local governing authorities as provided in Code Section 15-21-202.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.