

AN ORDINANCE

05-O-0039

BY: COUNCILMEMBERS C. T. MARTIN, NATALYN ARCHIBONG, H.
LAMAR WILLIS AND IVORY LEE YOUNG

AS SUBSTITUTED AND AMENDED BY FINANCE/EXECUTIVE
COMMITTEE

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, (1996 GEORGIA LAWS P. 4469, ET SEQ.), ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (1965 GEORGIA LAWS P. 298, ET SEQ.), AS AMENDED, O.C.G.A. § 36-35-1, ET SEQ., SO AS TO MAKE CERTAIN AMENDMENTS TO SECTION 6-302 OF THE CHARTER; TO AUTHORIZE THE CITY COUNCIL TO PROVIDE BUDGET PRIORITIES FOR POSSIBLE CONSIDERATION BY THE MAYOR IN THE PREPARATION OF THE TENTATIVE BUDGET; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, Section 6-302 of the Charter of the City of Atlanta sets out the procedure for the adoption the City's budget; and

WHEREAS, the governing body (City Council) is charged with the responsibility of setting policy for the City; and

WHEREAS, the success of any policy initiative depends upon adequate budgetary reinforcement; and

WHEREAS, it is imperative that the policymakers be involved in the budget preparation process.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows

Section 1: That Section 6-302 the Charter of the City of Atlanta, Georgia adopted by the 1996 Georgia General Assembly, 1996 Ga. Laws, as amended (hereinafter in this ordinance referred to as the "City Charter") which reads as follows:

Section 6-302. Adoption of budget.

(a) The mayor shall prepare and submit the proposed annual budget ordinance to the governing body no later than the first regular meeting of the governing body in December, preceding the fiscal year.

(b) The governing body shall hold one or more public hearings on the proposed budget as required by the laws of Georgia, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

(c) The governing body may amend the proposed annual budget, except that the budget as finally amended must provide for all expenditures required by law or by this Charter, including but not limited to debt service, sinking fund, interest on bonded indebtedness and a general fund restricted reserve equal to five percent of the proposed general fund budget which sums shall not be diverted to any other purpose and the total appropriations from any such fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund.

(d) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than the second regular meeting in the second month of each fiscal year.

be amended to read:

Section 6-302. Adoption of budget.

(a) At the first Council meeting in June of each year, each Councilmember may submit his/her budget priorities for the coming year. Such priorities shall be referred to the Finance/Executive Committee, which shall submit these priorities in the form of a resolution to be adopted by the Council no later than the second Council meeting in June. The Mayor, in conjunction with the Chief Financial Officer, may take these priorities into consideration in the preparation of the tentative budget.

(b) The mayor shall prepare and submit the proposed annual budget ordinance to the governing body no later than the first regular meeting of the governing body in December, preceding the fiscal year.



(c) The governing body shall hold one or more public hearings on the proposed budget as required by the laws of Georgia, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

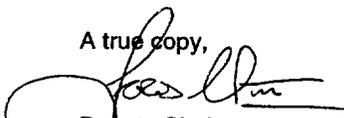
(d) The governing body may amend the proposed annual budget, except that the budget as finally amended must provide for all expenditures required by law or by this Charter, including but not limited to debt service, sinking fund, interest on bonded indebtedness and a general fund restricted reserve equal to five percent of the proposed general fund budget which sums shall not be diverted to any other purpose and the total appropriations from any such fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund.

(e) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than the second regular meeting in the second month of each fiscal year.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta (Ga. Laws 1996, as amended) shall be filed in the Office of the Municipal Clerk and in the Offices of the Clerks of the Superior Courts of Fulton and Dekalb Counties and the "Notice of Proposed Amendment to the Charter of the City of Atlanta" attached hereto as Exhibit "A" and by reference, made a part hereto, be published once a week for three weeks in a newspaper of general circulation in the City of Atlanta and in the official organs of Fulton County and Dekalb County, and a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED as amended by Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

February 7, 2005

February 16, 2005

RCS# 6455
2/07/05
3:15 PM

Atlanta City Council

Regular Session

05-O-0039

AMEND CHRT 6-302 AUTHO COUNCIL PROVIDE
BUDGET PRIORITIES TO MAYOR TENTATIVE BUD
ADOPT SUB AMEND

YEAS: 12
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	N Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

05-O-0039

RCS# 6430
1/18/05
3:06 PM

Atlanta City Council

Regular Session

05-O-0039

CHARTER AMEND 6-302 MAYOR PROVIDE FOR
PRIORITIES OF COUNCIL TENTATIVE BUDGET
~~1st~~ ADOPT SUB AMEND

YEAS: 10
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	N Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	N Norwood
Y Young	Y Shook	B Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

05-O-0039

RCS# 6429
1/18/05
3:05 PM

Atlanta City Council

Regular Session

05-O-0039

CHARTER AMEND 6-302 MAYOR PROVIDE FOR
PRIORITIES OF COUNCIL TENTATIVE BUDGET
AMEND/STARNES

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	B Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

05-O-0039

#8

05-0-0039

(Do Not Write Above This Line)

AN ORDINANCE

Councilmembers C. T. Martin, Natalyn Archibong, H. Lamar Willis and Ivory Lee Young

SUBSTITUTE AS AMENDED

An Ordinance to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298 et seq., as amended by the 1996 Session of the Georgia General Assembly, 1996 Georgia Laws, (O.C.G.A.S 36-35-1 ET SEQ.) as amended, so as to make certain amendments to Section 6-302 of the Charter of the City of Atlanta so as to provide that the Mayor take into consideration the priorities of the City Council in the preparation of the tentative budget; to repeal conflicting ordinances; and for

- ~~CONSENT REFERS~~
- ~~REGULAR REPORT REFER~~
- ~~ADVERTISE & REFER~~
- ~~1st ADOPT 2nd READ & REFER~~
- ~~PERSONAL PAPER REFER~~

Date Referred: 1/3/05

Referred To: Finance / Executive

Date Referred: 1-18-2005

Referred To: Finance / Executive

Date Referred: _____

Referred To: _____

ADOPTED BY

JAN 18

First Reading

Committee _____

Date _____

Chair _____

Referred To _____

FINANCE / EXECUTIVE

11/2/05 Date

Chair

Action

Fav/Adv, Hold (see rev. side)

Other

Members

Refer To

[Handwritten signatures]

NO

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

FIN/Committee

Date 2-2-05

ADOPTED BY

Action

Fav/Adv, Hold (see rev. side)

Other

Members

Refer To

ADOPTED BY

FEB 07 2005

COUNCIL

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

[Large stamp: RECEIVED]

MAYOR'S ACTION

APPROVED

FEB 16 2005

WITHOUT SIGNATURE BY OPERATION OF LAW