

**COMMITTEE ON COUNCIL
MINUTES
DECEMBER 1, 2008**

The Regularly Scheduled Meeting of the Committee on Council was held on Monday, December 1, 2008 in Committee Room #2.

Chairperson Moore recognized a quorum was present and the meeting convened at 11:07 a.m.

The Following Committee Members were Present

**The Honorable Felicia A. Moore, Chair
The Honorable Anne Fauver
The Honorable Ceasar Mitchell
The Honorable Jim Maddox
The Honorable Mary Norwood, Vice-Chair
The Honorable Cleta Winslow**

The Following Committee Member was not Present

The Honorable Natalyn Archibong

Others in attendance were Saul Schultz, Law Department; General Public, Members of the Press, and Council Staff.

A. ADOPTION OF AGENDA

The Agenda was Adopted without objection.

B. APPROVAL OF MINUTES

The Minutes for the November 17, 2008 Committee on Council Meeting were APPROVED without objection.

C. ADOPTION OF FULL COUNCIL AGENDA

The Full Council Agenda for December 1, 2008 was ACCEPTED without objection.

DISCUSSION:

Chairperson Moore informed the Committee and the public that she asked the Ethics Officer, Jenny Looney, to attend the meeting to inform the Committee on Council on the last three advisory opinions handed down by the Board of Ethics. She also stated that she has asked the Ethics Officer to report to the Committee on Council all advisory opinions, findings and rulings handed down from the Board of Ethic so that the Committee has more information in addition to the printed material they receive and an opportunity to ask questions and discuss them with her.

D. ORDINANCE FOR FIRST READING

08-O-2357 (1) An Ordinance by Committee on Council to schedule the second City Council Meeting in January, 2009 for 1:00 p.m. on January 22, 2009; to waive conflicting ordinances; and for other purposes.

TO BE REFERRED TO COMMITTEE ON COUNCIL

E. CHARTER AMENDMENT/THIRD READING/FINAL ADOPTION

08-O-2158 (1) A **Substitute** Ordinance and Charter Amendment by Committee on Council 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, to amend Section 2-402 (Entitled "Introduction, Consideration, Passage, and Publication of Legislation") of the Charter of the City of Atlanta, Georgia, (Ga. Laws 1996, p. 4469, et. seq.), approved April 15, 1996, as amended, so as to clarify the Number of Votes by Councilmembers required to effectuate an action of the City Council; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. **(1st Reading 11/3/08; 2nd Reading, 1st Adoption on Substitute 11/17/08.)**

(Chairperson Moore made a motion to approve and a subsequent motion to hold for advertising.)

FAVORABLE AND HOLD

F. ORDINANCES FOR SECOND READING

08-O-2270 (1) An Ordinance by Committee on Council to create a new section of the Code of Ordinances of the City of Atlanta, Georgia, designated as Section 2-37.1, to be entitled "Succession to the Office of Mayor, Office of Council President and position of Council President Pro Tempore", and to set forth the process and procedure to be applied in the event of a vacancy in the Office of the Mayor or Council President and/or in the position of Council President Pro Tempore; to waive conflicting ordinances; and for other purposes.

FAVORABLE

08-O-2274 (2) An Ordinance by Committee on Council to repeal Subparagraph (k) (5) of Section 2-36 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "President of Council.") so as to eliminate the "Cash Carryforward" provision related to the expense accounts and appropriations of the Council President; to provide for an effective date; to waive conflicting ordinances; and for other purposes.

FAVORABLE

08-O-2275 (3) An Ordinance by Committee on Council to repeal Subparagraph (e) of Section 2-39 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Councilmember Expense Accounts; Council District Appropriations; Funding.") so as to eliminate the "Cash Carryforward" provision related to the expense accounts and appropriations of the Council Members; to provide for an effective date; to waive conflicting ordinances; and for other purposes.

FAVORABLE

08-O-2276 (4) An Ordinance by Committee on Council to amend Section 2-136 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Remarks from public.") so as to repeal said section in its entirety and to establish new rules governing remarks from the public when speaking before the Standing Committees of Council; to waive conflicting ordinances; and for other purposes.

(Chairperson Moore made a motion to hold for further discussion.)

HOLD

F. ORDINANCES FOR SECOND READING (CONT'D)

08-O-2308 (5) An Ordinance by Councilmember Felicia Moore to call and conduct a General Election for the City of Atlanta to be held on Tuesday, November 3, 2009 to elect the Mayor, Council President, Council Members, Board of Education Members and to retain other Officials; to conduct a Run-off Election if necessary to be held on December 1, 2009; and for other purposes.

FAVORABLE

G. RESOLUTION

08-R-2309 (1) A Resolution by Councilmember Felicia Moore to establish (fix) Qualifying Fees, Dates and Times for Candidates to qualify to fill the offices of Mayor, Council President, Council Members and Board of Education Members in the November 3, 2009 Municipal General Election for the City of Atlanta.

FAVORABLE

H. PAPERS HELD IN COMMITTEE

07-O-1340 (1) An Ordinance by Councilmembers Jim Maddox, Kwanza Hall, Joyce Sheperd, Howard Shook, Anne Fauver, Ceasar Mitchell, Lamar Willis, Ivory Young, Jr., C. T. Martin, Carla Smith and Clair Muller to amend the Rules for the Conduct of Business of the Atlanta City Council so as to create a new policy for the receipt of legislation prepared by the Executive Branch. **(Held 7/2/07 for further review and discussion.)**

08-C-2110 (2) A Communication by Mayor Shirley Franklin re-appointing **Mr. Michael Walls** as a member of the Metropolitan Atlanta Rapid Transit Authority (MARTA) Board of Directors, for the City of Atlanta. This appointment is for a term of four (4) years, beginning with the expiration of his original appointment confirmed on December 6, 2004. **(Favorable by Transportation Committee 10/29/08; Held 11/03/08 to be considered at the 12/1/08 Committee on Council Meeting pursuant to the MARTA Act referencing re-appointments.)**

FAVORABLE

H. PAPERS HELD IN COMMITTEE (CONT'D)

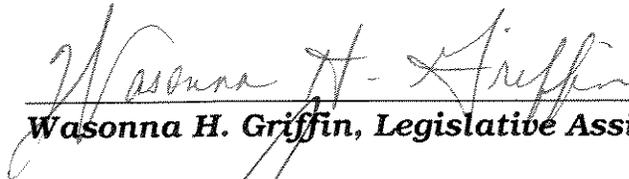
08-O-2154 (3) An Ordinance by Committee on Council **as Substituted and Amended**, establishing the Salaries for the Mayor, Council President and City Councilmembers for the terms of office beginning January 4, 2010; and for other purposes. **(Held 11/17/08 per Committee for further review and consideration; 12/1/08 Substituted and amended and held.)**

(Councilmember Fauver offered an amendment that was accepted by the Committee and Chairperson Moore made a motion to continue to hold as amended for advertising.)

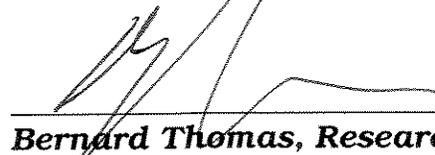
ADJOURNMENT

There being no further business before the Committee, the meeting was adjourned at 1:20 p.m.

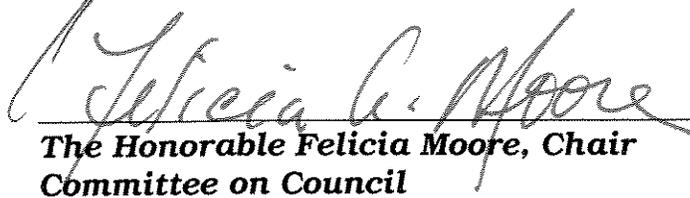
Respectfully Submitted:



Wasonna H. Griffin, Legislative Assistant



Bernard Thomas, Research & Policy Analyst



**The Honorable Felicia Moore, Chair
Committee on Council**