

A CHARTER AMENDING ORDINANCE
BY: COUNCILMEMBER HOWARD SHOOK

Howard Shook
Felicia A. Moore
Clare Muller
08-0-0826

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA ADOPTED UNDER AND BY VIRTUE OF THE MUNICIPAL HOME RULE ACT OF 1965(GA Laws 1965, P. 298, et. seq.) AS AMENDED TO AMEND PART 1, SUBPART A, ARTICLE VI, CHAPTER 3,SECTION 6-302 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 ADD A REQUIREMENT THAT THE ANNUAL BUDGET BE POSTED ON LINE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council and the Mayor desire that City financial processes be open and available for review by the public; and

WHEREAS, access to the proposed and adopted City Budgets would ensure open access to the public; and

WHEREAS, there is currently no requirement that the annual budget be made available on the City website.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That Article 6 Chapter 3 Section 6-302 of the Atlanta City Code, which currently reads as follows:

Section 6-302. Adoption of budget.

(a) At the first Council meeting in February of each year, beginning in 2007, each Council member 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 February. 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 May, preceding the commencement of 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 June, preceding the commencement of the fiscal year.

(f) For the expanded fiscal year that shall encompass January 1, 2006 and end June 30, 2007, the governing body shall by ordinance adopt not later than last meeting in December 2005 an eighteen-month budget to set forth appropriations for January 1, 2006 through June 30, 2007 and shall by ordinance adopt the necessary additional appropriation of funds or reductions in appropriations, but only for those funds and in those account centers where variances occur between projected figures and actual costs.

be amended by adding two new subsections and renumbering the existing subsections such that the amended Section 6-301 shall read as follows:

Section 6-302. Adoption of budget.

(a) At the first Council meeting in February of each year, beginning in 2007, each Council member 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 February. 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 May, preceding the commencement of the fiscal year.

(c) The mayor shall cause the proposed annual budget to be posted on the city website within 7 calendar days after it is submitted to the governing body.

(d) 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.

(e) 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.

(f) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than June, preceding the commencement of the fiscal year.

(g) The mayor shall cause the proposed annual budget to be posted on the city website within 30 calendar days after it becomes law.

(h) For the expanded fiscal year that shall encompass January 1, 2006 and end June 30, 2007, the governing body shall by ordinance adopt not later than last meeting in December 2005 an eighteen-month budget to set forth appropriations for January 1, 2006 through June 30, 2007 and shall by ordinance adopt the necessary additional appropriation of funds or reductions in appropriations, but only for those funds and in those account centers where variances occur between projected figures and actual costs.

Section 3: That a copy of this proposed amendment to the Charter of the City of Atlanta,

Georgia 1996 Ga. L. (Act No. 1019, p. 4469), *et- seq.* as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked *Exhibit "A"* and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta

Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Exhibit A

"Notice of Proposed **Amendment to the Charter of the City of Atlanta, Georgia**"

Notice is hereby given that an ordinance has been introduced to amend Section 6-302. (*Entitled " Adoption of budget "*) of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, *et. seq.*) as amended, so as to add a requirement that that the annual budget be posted on line such that the amended Section 6-302 shall read as follows:

Section 6-302. Adoption of budget.

- (a) At the first Council meeting in February of each year, beginning in 2007, each Council member 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 February. 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 May, preceding the commencement of the fiscal year.
- (c) The mayor shall cause the proposed annual budget to be posted on the city website within 7 calendar days after it is submitted to the governing body.
- (d) 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.
- (e) 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.
- (f) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than June, preceding the commencement of the fiscal year.
- (g) The mayor shall cause the proposed annual budget to be posted on the city website within 30 calendar days after it becomes law.
- (h) For the expanded fiscal year that shall encompass January 1, 2006 and end June 30, 2007, the governing body shall by ordinance adopt not later than last meeting in December 2005 an eighteen-month budget to set forth appropriations for January 1, 2006 through June 30, 2007 and shall by ordinance adopt the necessary additional appropriation of funds or reductions in appropriations, but only for those funds and in those account centers where variances occur between projected figures and actual costs.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This day of _____, 2008

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta