

12-0-0363

(Do Not Write Above This Line)

AN ORDINANCE
BY: COUNCILMEMBER H. LAMAR WILLIS

[Signature]

AN ORDINANCE TO AMEND ATLANTA CODE OF ORDINANCES SECTION 2-2203(e) TO REQUIRE LEGISLATIVE APPROVAL OF THE HIRING OF THE ATLANTA CITIZEN REVIEW BOARD DIRECTOR; AND TO AMEND ATLANTA CODE OF ORDINANCES SECTION 2-805(a) TO ESTABLISH A COUNCIL CONFIRMATION PROCESS FOR THE CITY OF ATLANTA ETHICS OFFICER; AND TO CREATE A NEW SECTION 2-1856 OF THE ATLANTA CODE OF ORDINANCES, TO SUPPLEMENT CITY CHARTER SECTION 2-601(a) BY ESTABLISHING A COUNCIL CONFIRMATION PROCESS FOR THE CITY OF ATLANTA INTERNAL AUDITOR; AND FOR OTHER PURPOSES.

Filed by Full Council 3/19/12

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

Date Referred 3/5/12
Referred To: Council on Council
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee COC
Date 3/19/12
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other ON

Members 4 years
3 years
Years
Months
Days
Hours
Minutes

Refer To _____
Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

Committee COC
Date 3/19/12
Chair Mayor's Chair
Action Refer to
Fav, Adv, Hold (see rev. side) _____
Other _____

Members 2-35 others
Refer To _____
Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

Members 2-35 others
Refer To _____
Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

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

CERTIFIED

CERTIFIED
MAR 19 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
MAR 19 2012

[Signature]

MAYOR'S ACTION

RCS# 1834
3/19/12
5:17 PM

Atlanta City Council

12-O-0363

AMEND 2-805A ETHICS OFFICER CONFIRMATION
PROCESS/ CREATE NEW 2-1856 CITY AUDITOR
FILE

YEAS: 12
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	B Martin	NV Watson
Y Young	Y Shook	N Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

12-O-0363

**AN ORDINANCE
BY COUNCILMEMBER H. LAMAR WILLIS**

12-O-0363

**AS SUBSTITUTED
BY COMMITTEE ON COUNCIL**

**A SUBSTITUTE ORDINANCE TO AMEND SECTION 2-805 OF THE
CITY OF ATLANTA CODE OF ORDINANCES TO ESTABLISH A
COUNCIL CONFIRMATION PROCESS FOR THE HIRING OF THE
CITY OF ATLANTA ETHICS OFFICER, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta's ("City") Code of Ordinances ("Code"), at Code Section 2-805(a) authorizes the members of the City's Board of Ethics to appoint a City Ethics Officer; and

WHEREAS, though the Code provision mandates Atlanta City Council Confirmation of the Ethics Officer, the Code does not set out the process used by the Council to evaluate the candidates; and

WHEREAS, because the Ethics Officer is a City employee whose responsibilities have wide-reaching impact, it is in the City's best interest to amend the Code to define the confirmation process utilized in selecting the Ethics Officer.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. The Atlanta Code of Ordinances at subsection 2-805(a) authorizes the Board of Ethics to appoint an Ethics Officer contingent upon confirmation by the Atlanta City Council. The provision shall be amended by inserting the following text into subsection 2-805(a):

"Council confirmation must be granted through a duly enacted city resolution. The resolution shall indicate the board of ethics' three finalists for the position and shall attach all materials relied upon by the board in making the selections. The board may rank the three finalists, but is not required to do so. The resolution shall be considered by the committee on council, which shall substitute the resolution with a version that makes a final recommendation for the ethics officer position. The substitute resolution shall then proceed through the remainder of the legislative process as set out in this city code."

Section 2-805(a), as amended, shall than read as follows:

"There is hereby created as a full time salaried position an ethics officer for the city. The city ethics officer must be an active member of the Georgia Bar Association in good standing with five years experience in the practice of law. The ethics officer shall be appointed by a majority of the members of the board of ethics for a period of five years, subject to confirmation by a majority of the

council and approval by the mayor. Council confirmation must be granted through a duly enacted city resolution. The resolution shall indicate the board of ethics' three finalists for the position and shall attach all materials relied upon by the board in making the selections. The board may rank the three finalists, but is not required to do so. The resolution shall be considered by the committee on council, which shall substitute the resolution with a version that makes a final recommendation for the ethics officer position. The substitute resolution shall then proceed through the remainder of the legislative process as set out in this city code. Removal of the ethics officer before the expiration of the designated term shall be for cause by a majority vote of the members of the board of ethics.”

SECTION 2. That all other ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of said conflict in this instance only.