

#7

13-O-1049

2195

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

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

AN ORDINANCE *Natalyn Archibong*
BY COUNCILMEMBER KWANZA HALL

AN ORDINANCE TO AMEND THE
ATLANTA, GEORGIA CODE OF
ORDINANCES, PART II, CODE OF
ORDINANCES, (GENERAL ORDINANCES),
CHAPTER 2, (ADMINISTRATION),
DIVISION 3. (STANDING AND OTHER
COMMITTEES), SUBDIVISION 1,
(STANDING COMMITTEES), SECTION 2-133
(f) (OPERATIONS; PROCEDURES); TO
WAIVE CONFLICTING ORDINANCES AND
CODE SECTIONS; AND FOR OTHER
PURPOSES.

ADOPTED BY

JUN 17 2013

COUNCIL
Substitute

as Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: *5/20/13*
Referred To: *Comm on Council*
Date Referred:
Referred To:
Date Referred:
Referred To:

COC
Committee
6/3/13
Date
ON Substitute
Chair
Action
Fav. Adv. Hold (see rev. side)
Other
Members
Refer To

COC
Committee
6/17/13
Date
Chair
Action
Fav. Adv. Hold (see rev. side)
Other
Substitute - Hold
Members *Reconsider*
Refer To

COC
Committee
6/17/13
Date
Vice
Chair
Action
Fav. Adv. Hold (see rev. side)
Other
ON condition
Members
Refer To

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

CERTIFIED
JUN 17 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
JUN 17 2013
Rhonda Daughin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
JUN 26 2013
WITHOUT SIGNATURE
BY OPERATION OF LAW

AN ORDINANCE

BY COUNCIL MEMBER KWANZA HALL AND NATALYN ARDHIBONG

AS SUBSTITUTED (3) BY COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND THE CITY OF ATLANTA, GEORGIA CODE OF ORDINANCES, PART II (CODE OF ORDINANCES – GENERAL ORDINANCES), CHAPTER 2 (ADMINISTRATION), DIVISION 3 (STANDING AND OTHER COMMITTEES), SUBDIVISION I (STANDING COMMITTEES), SECTION 2-133 (OPERATIONS; PROCEDURES); TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta seeks to provide its citizens with an excellent level of meaningful transparency, oversight, and public participation with regard to the operation of Committees of the City Council of Atlanta; and

WHEREAS, since at least 1998, all seven standing Committees of the Atlanta City Council have engaged in a practice of holding Committee Briefings prior to their respective Committee Meetings each committee cycle; and

WHEREAS, the primary objective of these Committee Briefings is to brief the Chairperson of each Standing Committee regarding the procedural status of items on the agenda of the upcoming Committee Meeting in order to promote more efficient Committee Meetings; and

WHEREAS, numerous Atlanta citizens have expressed a desire for more consistency and transparency with respect to the operation of these Committee Briefings; and

WHEREAS, the City of Atlanta wishes to provide citizens with a more reliable and consistent set of procedures with respect to the operation of Committee Briefings.

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

SECTION 1: That Part II, Chapter 2, Division 3, Subdivision I, Section 2-133 of the Code of Ordinances of the City of Atlanta, Georgia, Georgia Laws 1927, p. 265, which currently reads:

“Sec. 2-133. Operations; procedures.

(a) *Record of actions.* Each standing committee of the council shall keep minutes of meetings, which shall include a complete written record of all its actions and a record of the votes on any question. Also, all official reports received by the committee shall be



retained and filed along with the minutes. At least one electronic legible copy of such minutes of meetings shall be publishable in readable form on the official City of Atlanta website.

(b) *Rules.* The rules of the council shall be the rules of the committees insofar as applicable. However, motions made in committees, once a quorum is present, shall be carried by a majority of votes cast, and abstentions or failures to vote shall not constitute votes cast for the purpose of this section. Committees may adopt and from time to time amend additional rules not inconsistent with this division, upon a majority vote of committee members present, which shall be filed with the municipal clerk.

(c) *Quorum.* A majority of councilmembers assigned to a standing committee shall constitute a quorum. The transaction of business of each standing committee cannot be conducted without the presence of a quorum. However, once a quorum is established at any meeting of a standing committee, any member of said standing committee that thereafter abstains from voting or does not vote on a particular matter for any reason shall still be considered to be present for purposes of maintaining the quorum.

(d) *Duty to bring ordinances and resolutions to vote by council.* It shall be the duty of each committee chair to take all steps necessary to bring all ordinances and resolutions voted upon by the applicable committee to a vote by the council. Matters held for further deliberation by committees may be called to the floor for a vote by the sponsor of the legislation if the legislation has been held in committee for two or more meeting cycles, or by the vote of the body to enter into the Committee of the Whole.

(e) *Items of legislation resulting in tie vote.* Items of legislation which when voted on result in a tie vote on one or more motions to approve, adverse, hold, or file, and do not receive a majority vote on any dispositive motion, shall be forwarded to the full council for a vote with no recommendation from the committee.

(f) *Report of actions: public sessions.* No measure or recommendation shall be reported out of any committee unless a majority of the committee members are present at the time such action was taken. All hearings conducted by standing committees and select committees and all actions, including voting on measures, shall be conducted in open session with the public fully invited thereto.

(g) *Annual report.* It shall be the duty of the chair of each standing committee of the council to have prepared by the last council meeting in March an annual report on the activities of that committee during the preceding year. Such report shall be presented in writing to the president and to all members of the council during the last regularly scheduled meeting of the council in March. Such report shall include a brief synopsis of all major legislative business transacted by the committee.”

be amended to make the following deletions and insertions:



“Sec. 2-133. Operations; procedures.

(a) *Record of actions.* Each standing committee of the council shall keep minutes of meetings, which shall include a complete written record of all its actions and a record of the votes on any question. Also, all official reports received by the committee shall be retained and filed along with the minutes. At least one electronic legible copy of such minutes of meetings shall be publishable in readable form on the official City of Atlanta website.

(b) *Rules.* The rules of the council shall be the rules of the committees insofar as applicable. However, motions made in committees, once a quorum is present, shall be carried by a majority of votes cast, and abstentions or failures to vote shall not constitute votes cast for the purpose of this section. Committees may adopt and from time to time amend additional rules not inconsistent with this division, upon a majority vote of committee members present, which shall be filed with the municipal clerk.

(c) *Quorum.* A majority of councilmembers assigned to a standing committee shall constitute a quorum. The transaction of the official business of each standing committee cannot be conducted without the presence of a quorum. Whenever a quorum is not present, the standing committee may receive reports, information, and/or presentations, but cannot take official action. However, once a quorum is established at any meeting of a standing committee, any member of said standing committee that thereafter abstains from voting or does not vote on a particular matter for any reason shall still be considered to be present for purposes of maintaining the quorum.

(d) *Duty to bring ordinances and resolutions to vote by council.* It shall be the duty of each committee chair to take all steps necessary to bring all ordinances and resolutions voted upon by the applicable committee to a vote by the council. Matters held for further deliberation by committees may be called to the floor for a vote by the sponsor of the legislation if the legislation has been held in committee for two or more meeting cycles, or by the vote of the body to enter into the Committee of the Whole.

(e) *Items of legislation resulting in tie vote.* Items of legislation which when voted on result in a tie vote on one or more motions to approve, adverse, hold, or file, and do not receive a majority vote on any dispositive motion, shall be forwarded to the full council for a vote with no recommendation from the committee.

(f) *Report of actions: ~~public sessions~~ Applicability of the Georgia Open Meetings Act.* All meetings of a standing committee, or of a subcommittee created by a standing committee, including regular and special called meetings, shall be conducted in accordance with the requirements of the Georgia Open Meetings Act (O.C.G.A. 50-14-1, et seq.). ~~No measure or recommendation shall be reported out of any committee unless a majority of the committee members are present at the time such action was taken. All hearings conducted by standing committees and select committees and all actions, including voting on measures, shall be conducted in open session with the public fully invited thereto.~~



(g) Committee Briefings, Hearings and Work Sessions. All briefings, hearings and work sessions conducted by a standing committee, whether or not a quorum is present, shall be conducted in accordance with the Georgia Open Meetings Act (O.C.G.A. §50-14-1 et seq.) However, in the presence of a quorum, official action shall not be taken during any such briefings, hearings or work sessions.

(h) Annual report. It shall be the duty of the chair of each standing committee of the council to have prepared by the last council meeting in March an annual report on the activities of that committee during the preceding year. Such report shall be presented in writing to the president and to all members of the council during the last regularly scheduled meeting of the council in March. Such report shall include a brief synopsis of all major legislative business transacted by the committee.”

such that Part II, Chapter 2, Division 3, Subdivision I, Section 2-133 of the Code of Ordinances of the City of Atlanta, Georgia, Georgia Laws 1927, p. 265, shall read as follows:

“**Sec. 2-133.** Operations; procedures.

(a) *Record of actions.* Each standing committee of the council shall keep minutes of meetings, which shall include a complete written record of all its actions and a record of the votes on any question. Also, all official reports received by the committee shall be retained and filed along with the minutes. At least one electronic legible copy of such minutes of meetings shall be publishable in readable form on the official City of Atlanta website.

(b) *Rules.* The rules of the council shall be the rules of the committees insofar as applicable. However, motions made in committees, once a quorum is present, shall be carried by a majority of votes cast, and abstentions or failures to vote shall not constitute votes cast for the purpose of this section. Committees may adopt and from time to time amend additional rules not inconsistent with this division, upon a majority vote of committee members present, which shall be filed with the municipal clerk.

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legislation if the legislation has been held in committee for two or more meeting cycles, or by the vote of the body to enter into the Committee of the Whole.

(e) *Items of legislation resulting in tie vote.* Items of legislation which when voted on result in a tie vote on one or more motions to approve, adverse, hold, or file, and do not receive a majority vote on any dispositive motion, shall be forwarded to the full council for a vote with no recommendation from the committee.

(f) *Applicability of the Georgia Open Meetings Act.* All meetings of a standing committee, or of a subcommittee created by a standing committee, including regular and special called meetings, shall be conducted in accordance with the requirements of the Georgia Open Meetings Act (O.C.G.A. 50-14-1, *et seq.*).

(g) *Committee Briefings, Hearings and Work Sessions.* All briefings, hearings and work sessions conducted by a standing committee, whether or not a quorum is present, shall be conducted in accordance with the Georgia Open Meetings Act (O.C.G.A. §50-14-1 *et seq.*). However, in the presence of a quorum, official action shall not be taken during any such briefings, hearings or work sessions.

(h) *Annual report.* It shall be the duty of the chair of each standing committee of the council to have prepared by the last council meeting in March an annual report on the activities of that committee during the preceding year. Such report shall be presented in writing to the president and to all members of the council during the last regularly scheduled meeting of the council in March. Such report shall include a brief synopsis of all major legislative business transacted by the committee.”

Section 2: Except as otherwise provided, the provisions of Section 1 are effective as of the date of adoption of this legislation.

Section 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,


Deputy Clerk

ADOPTED as amended by the Council
APPROVED as per City Charter Section 2-403

JUN 17, 2013
JUN 26, 2013

RCS# 2788
6/17/13
3:44 PM

Atlanta City Council

13-O-1049

AMEND COA CODE OF ORDINANCES; SECTION
2-133 OPERATIONS; PROCEDURES.
ADOPT/SUB.AMEND

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

13-O-1049