

#5

1828

11-R-1841

(Do Not Write Above This Line)

A RESOLUTION

BY: COUNCIL MEMBER FELICIA A. MOORE

Felicia A. Moore
Asst. Dir.
Kwan
H...
J...

A RESOLUTION EXPRESSING THE ATLANTA CITY COUNCIL DESIRE AND INTENT TO ACT UPON SECTION 2-396 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO EMPLOY DIRECTLY OR TO CONTRACT THE SERVICES OF OUTSIDE LEGAL COUNSEL TO ASSIST CITY COUNCIL IN PROVIDING LEGISLATIVE OVERSIGHT TO THE OPERATIONS OF THE CITY; AND FOR OTHER PURPOSES.

AUTOMATICALLY TERMINATED AND FILED BY CLERK PER CHARTER SECTION 2-407 DEC 02 2013

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

Date Referred

12/5/11

Referred To:

Finance/Exec

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee Finance/Exec

Date 12/14/2011

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

DEC 02 2013

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

DEC 02 2013

Ronda Dushin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

11-1841

A RESOLUTION

BY: COUNCIL MEMBERS FELICIA A. MOORE

Felicia A. Moore
[Handwritten signatures]
Adrian
Kwame
Hill

A RESOLUTION EXPRESSING THE ATLANTA CITY COUNCIL DESIRE AND INTENT TO ACT UPON SECTION 2-396 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO EMPLOY DIRECTLY OR TO CONTRACT THE SERVICES OF OUTSIDE LEGAL COUNSEL TO ASSIST CITY COUNCIL IN PROVIDING LEGISLATIVE OVERSIGHT TO THE OPERATIONS OF THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, Atlanta City Charter Part 1 Subpart A, Article 3, Chapter 3(f) states that “the city attorney shall be responsible to the mayor and to the city council”; and

WHEREAS, Division 3 § 2-396 states that “the Department of Law is vested with complete and exclusive authority and jurisdiction in all matters of law relating to the executive branch of the city government and of every department, bureau, office, institution, commission, committee, board and other agency thereof” as indicated in “EXHIBIT A”; and

WHEREAS, Division 3 § 2-396 of the City of Atlanta Code of Ordinances further states “that the council is authorized, in its discretion, to employ directly, by contract and for specific assignments, legal counsel for the limited purpose of fulfilling its obligation to provide legislative oversight to the operations of the city” as indicated in “EXHIBIT A”; and

WHEREAS, Division 1 § 2-44 of the City of Atlanta Code of Ordinances states that “The council may employ, by contract, either outside legal counsel, or outside financial auditors, or both, for the purpose of fulfilling its obligation of legislative oversight. The process of choosing either legal counsel or auditors shall be as follows: The president of the council, the city attorney and the chair of the committee on finance shall recommend to the council outside legal counsel or financial auditors or the specific assignment, which shall select such legal counsel or financial auditors by majority vote.”

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that in accordance with Division 3 § 2-396 of the Atlanta City Code the Atlanta City Council desires and intends to employ directly, by contract and for

specific assignments, legal counsel for the limited purpose of fulfilling its obligation to provide legislative oversight to the operations of the city.

BE IT FURTHER RESOLVED: that in accord with Division 1 § 2-44 of the Atlanta City Code of Ordinances, the City Council directs that the City Attorney work with the president of the council and the chair of the committee on finance to recommend to the council outside legal counsel.

BE IT FINALLY RESOLVED: that all resolutions or parts of resolutions in conflict herewith are hereby waived to the extent of the conflict.

EXHIBIT A

Atlanta, Georgia, Code of Ordinances >> PART II - CODE OF ORDINANCES—GENERAL ORDINANCES >> Chapter 2 - ADMINISTRATION >> ARTICLE VI. - DEPARTMENTS >> DIVISION 3. - DEPARTMENT OF LAW >>

DIVISION 3. - DEPARTMENT OF LAW ^[19]

Sec. 2-396. - Authority of **department**.

The **department of law** is vested with complete and exclusive authority and jurisdiction in all matters of **law** relating to the executive branch of the city government and of every **department**, bureau, office, institution, commission, committee, board and other agency thereof. Every **department**, bureau, office, institution, commission, committee, board and other agency of the city government is prohibited from employing counsel in any manner whatsoever, unless otherwise specifically authorized by **law**, provided that the council is authorized, in its discretion, to employ directly, by contract and for specific assignments, legal counsel for the limited purpose of fulfilling its obligation to provide legislative oversight to the operations of the city.

(Code 1977, § 4-1004)